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MR. BOOK # 84

RESOLUTIONS

5/14/97 -
1/21/98

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RESOLUTION TO APPROVE/RENEW
CITY OF FORT WAYNE TAXI PERMIT

WHEREAS; The City of Fort Wayne Taxi Ordinance (Fort Wayne City Code, Chapter 28) authorizes the Board of Pubic Works to approve and renew taxi permits annually; and

WHEREAS; The taxi service known as **DELUXE TAXI COMPANY** has filed an application for a taxi permit, as required by the Taxi Ordinance, and has met all City Code requirements for a taxi service operation;

NOW THEREFORE; The Board of Public Works of the City of Fort Wayne, Indiana hereby approves/renews the permit of said taxi service for the calendar year of **1998**.

SIGNED THIS 21 DAY OF JANUARY, 1998.

BOARD OF PUBLIC WORKS

Linda Buskirk, Chairman

C. James Owen, Member

John Stafford, Member

ATTEST:

Patricia J. Crick, Clerk

IMPROVEMENT RESOLUTION NO. 6520-98
CENTRAL BUSINESS DISTRICT CURB RAMP PROGRAM PHASE V
L.R.& S.

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to:
ALTER EXISTING AREAS, ELEMENTS AND FACILITIES INTENDED FOR PEDESTRIAN ACCESS BY REMOVING EXISTING CURBS, SIDEWALKS AND ALLEYS, RELOCATING UTILITIES AND CONSTRUCTING PUBLIC SIDEWALK CURB RAMPS IN COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT. CURB RAMP RECONSTRUCTION AND PAVEMENT MARKINGS AT NINETEEN LOCATIONS.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne LR&S Funds.

Adopted, this 21 day of JANUARY, 1998.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

RESOLUTION TO APPROVE/RENEW
CITY OF FORT WAYNE TAXI PERMIT

WHEREAS; The City of Fort Wayne Taxi Ordinance (Fort Wayne City Code, Chapter 28) authorizes the Board of Pubic Works to approve and renew taxi permits annually; and

WHEREAS; The taxi service known as **J. J. R. TAXI** has filed an application for a taxi permit, as required by the Taxi Ordinance, and has met all City Code requirements for a taxi service operation;

NOW THEREFORE; The Board of Public Works of the City of Fort Wayne, Indiana hereby approves/renews the permit of said taxi service for the calendar year of **1998**.

SIGNED THIS 14 DAY OF JANUARY, 1998.

BOARD OF PUBLIC WORKS

Linda Buskirk, Chairman

C. James Owen, Member

John Stafford, Member

ATTEST:

Patricia J. Crick, Clerk

1998 City Utilities Budget
Stormwater

Recommended by:

Terry L. Atherton, P.E.
Director of Utilities

Date: 1-7-98

Approved by Stormwater Management Board:

Linda Buskirk, Chairman
Stormwater Management Board

Date: 1/14/98

C. James Owen, Member
Stormwater Management Board

Date: 1-14-98

Terrance P. McCaffrey, Member
Stormwater Management Board

Date: 1-14-98

Attested by:

Patricia J. Crick, Clerk

Date: 1-14-98

Approved by:

Paul Helmke, Mayor

Date: 1/15/98

1998 City Utilities Budget
Water, Sewer, Electric and Yard

Recommended by:

Terry L. Atherton, P.E.
Director of Utilities

Date: 1-7-98

Approved by Board of Public Works:

Linda Buskirk, Chairman
Board of Public Works

Date: 1-14-98

C. James Owen, Member
Board of Public Works

Date: 1-14-98

John Stafford, Member
Board of Public Works

Date: 1-14-98

Attested by:

Patricia J. Crick, Clerk

Date: 1-14-98

Approved by:

Paul Helmke, Mayor

Date: 1/15/98

IMPROVEMENT RESOLUTION NO. 6518-97
MISCELLANEOUS CONSTRUCTION PACKAGE 1/97
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

1) **1221 GARFIELD**
   REPLACEMENT OF ALLEY APPROACH
2) **INTERSECTION OF GRANDEUR & STATE BLVD.**
   REPLACEMENT OF MEDIAN TAPER
3) **815 BEGUE**
   REPLACEMENT OF CURBS & WALKS
4) **1514 ANTHONY BLVD.**
   REPLACEMENT OF CURBS
5) **1221 & 1303 CURDES**
   REPLACEMENT OF WALKS
6) **INTERSECTION OF CLINTON & MAIN**
   MEDIAN CURB REPLACEMENT
7) **INTERSECTION OF NOTTINGHAM & SHELDON**
   REPLACEMENT OF CURB RAMPS, CEMENT CONCRETE PAVEMENT AT INTERSECTION
8) **3210 IVY LEAGUE**
   REPLACEMENT OF CEMENT CONCRETE PAVEMENT
9) **4631 DUTCHESS LANE**
   REPLACEMENT OF CURB RAMPS & CEMENT CONCRETE PAVEMENT AT INTERSECTION
10) **4111 VAIL COURT**
    REPLACEMENT OF CURBS & SIDEWALKS
11) **INTERSECTION OF SHERWOOD & OLD MILL RD.**
    REPLACEMENT OF CURBS
12) **4425 TACOMA**
    REPLACEMENT OF YARD WALK
13) **INTERSECTION OF LEXINGTON & OLD MILL RD.**
    REPLACEMENT OF CURBS & CURB RAMPS
14) **INTERSECTION OF STRATFORD & SHERWOOD**
    REPLACEMENT OF CURBS
15) **4215 FERDINAND**
    REPLACEMENT OF CURB RAMPS & CEMENT CONCRETE PAVEMENT AT INTERSECTIONS

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 14 day of JANUARY, 1998.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6517-97
KENSINGTON BLVD.: DODGE AVE. TO LAWNDALE DRIVE
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
KENSINGTON BLVD. FROM DODGE AVENUE TO LAWNDALE DRIVE BY STREET RECONSTRUCTION, NEW CURBS, WINGWALKS, YARDWALKS , DRIVEWAY APPROACHES AND SUB-SURFACE DRAINAGE

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, YARDWALKS AND DRIVEWAY APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for STREET RECONSTRUCTION, WINGWALKS & SUB-SURFACE DRAINAGE shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 14 day of JANUARY, 1998.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

James Stafford
Member

ATTEST:

Patricia J. Crick
Clerk

RESOLUTION #558-1997

MORELL DRIVE STORM DRAINAGE IMPROVEMENT

RESOLVED by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage intended and adapted for use by property owner(s) whose property abuts thereon and the same is hereby ordered on and along the following described areas:

2900, 3000, and 3100 BLOCKS OF MORELL DRIVE
and THE 2600 BLOCK OF SANDPOINT

INSTALLATION of 1,009 ± LF OF 12", 18", AND 24" storm sewer,
3 manholes, 4 inlets, street repair and complete restoration.

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid for by a combination of **CEDIT** funds, **private monies, and Stormwater Utility funds** of the City of Fort Wayne.

ADOPTED this 31 day of DECEMBER, 1997.

BOARD OF STORMWATER MANAGEMENT

Linda Buskirk

Linda Buskirk, Chairman

C. James Owen, Member

Terrance P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

CC: Michael L. Thornson, Mgr. Stormwater Engineering

IMPROVEMENT RESOLUTION NO. 6516-97
PACKARD AVENUE/BEAVER AVENUE/KINNAIRD AVENUE IMPROVEMENTS
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

THAT IT IS DEEMED NECESSARY TO IMPROVE THE FOLLOWING LOCATIONS BY RECONSTRUCTING THE CURBS, DRIVE APPROACHES, AND SIDEWALKS AS NEEDED AND CONSTRUCTION OF NEW CURB RAMPS:

1) **THE NORTH SIDE OF PACKARD AVENUE FROM BEAVER AVENUE TO INDIANA AVENUE**
2) **THE EAST SIDE OF BEAVER AVENUE FROM PACKARD AVENUE TO KINNAIRD AVENUE**
3) **THE SOUTH SIDE OF KINNAIRD AVENUE FROM THE EAST CURB LINE OF BEAVER AVENUE TO A POINT 85 ± EAST FT. THERE OF**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, YARDWALKS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 17 **day of** DECEMBER **, 19**97.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

C. James Owen

C. James Owen
Member

John Stafford

John Stafford
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Clerk

BOARD OF PUBLIC WORKS

EMERGENCY RESOLUTION NUMBER 84-237-11

WHEREAS, All Star Construction and Excavation provided payment restoration as a part of the southeast Feeder Main Project; and

WHEREAS, Transportation Engineering Services staff recommended that additional cement concrete pavement be reconstructed on Lower Huntington approach at Baerfield thruway to ensure the structural integrity of the roadway; and

WHEREAS, City Engineering concurred with the recommendation and ordered the work done with the pavement restoration;

NOW, THEREFORE, the Board of Public Works hereby authorizes the cement concrete reconstruction by All Star Construction and Excavation at a cost of $6,849.60 to be funded through the LR&S Miscellaneous account and issue a purchase order on an emergency basis.

BOARD OF PUBLIC WORKS

Linda Buskirk, Chairman

C. James Owen, Member

John Stafford, Member

Attest: Patricia J. Crick, Clerk

December 17, 1997

RESOLUTION 84-217-4

WHEREAS, the City of Fort Wayne needs to hire a Consultant for the design and construction administration services for renovations to the City Garage and site development;

WHEREAS, Bonar Group, Inc. has been retained for design and construction administration services for other facilities at the Lafayette Street Complex;

NOW THEREFORE, be it resolved by the Board of Public Works recommends that the Fort Wayne Municipal Building Corporation retain the services of Bonar Group for design and construction administration services for renovations and site development at the City Garage.

BOARD OF PUBLIC WORKS

Linda Buskirk, Chairman

C. James Owen, Member

John Stafford, Member

ATTEST:

Carolyn S. Neugent for

Patricia J. Crick, Clerk

Dated this 3rd day of Dec., 1997.

IMPROVEMENT RESOLUTION NO. 6515-97
MISCELLANEOUS INVITATIONAL BID
CLAY STREET AT DOUGLAS STREET
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

CLAY STREET (WEST SIDE) FROM DOUGLAS STREET NORTH TO ALLEY (APPROXIMATELY 150 ± L.F.) AND DOUGLAS STREET (NORTH SIDE) FROM CLAY STREET WEST APPROXIMATELY 150 ± L.F. BY PARTIAL CURB AND SIDEWALK REPLACEMENT AND CONSTRUCTION OF CURB-RAMPS, ALLEY APPROACH, YARDWALK AND MULCHED SEEDING RESTORATION

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 10 day of DECEMBER, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

BOARD OF PUBLIC WORKS

EMERGENCY RESOLUTION NUMBER 84-227-20

WHEREAS, the Hurshtown Reservoir was built in the late 1960's, as an impoundment facility for an emergency supply of 1.8 billion gallons of raw water for the Three Rivers Filtration Plant; and

WHEREAS, the northern slope of the facility has experienced a cracking of the vegetation and topsoil layer that covers the clay dike; and

WHEREAS, the Filtration Plant has hired McNamee, Porter and Seeley Consulting Engineers in July to investigate the problem areas, determine the integrity of the dike and prepare and engineering report; and

WHEREAS, McNamee, Porter, and Seeley have completed the investigation, and soil borings, and have completed the preliminary report that indicates that the structural clay dike is in very sound condition and that no water is penetrating the dike; and

WHEREAS, one of the areas on the northern slope has experienced an accelerated rate of failure over the weekend of November 29th and 30th, which has allowed a cracking and shifting of the vegetation and topsoil layer that covers the clay dike; and

WHEREAS, this failure in no way threatens the integrity of the dike, failure to enact temporary repairs to the topsoil layer could start to deteriorate the clay dike and allow for additional erosion; and

WHEREAS, McNamee Porter and Seeley are currently under contract with the Filtration Plant for the investigation and engineering report on the dike, and have the most up to date information;

NOW, THERFORE, the Board of Public Works hereby authorizes the Three Rivers Filtration Plant to engage McNamee, Porter and Seeley to design temporary repairs to the affected areas and also to allow the Water Utility to receive quotes and issue a purchase order on an emergency basis to proceed with the repairs.

BOARD OF PUBLIC WORKS

Linda Buskirk, Chairman

C. James Owen, Member

John Stafford, Member

Attest: Patricia J. Crick, Clerk

December 17, 1997

IMPROVEMENT RESOLUTION NO. 6514-97
NORTHWOOD BLVD.: ST. JOSEPH BLVD. TO KENTUCKY AVENUE
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,
That it is deemed necessary to improve:
NORTHWOOD BLVD.: ST. JOSEPH BLVD. TO KENTUCKY AVENUE BY RECONSTRUCTING ROADWAY WHICH INCLUDES NEW BITUMINOUS PAVEMENT, RECONSTRUCTION OF CURBS ALONG PROPERTY FRONTAGE AND CENTER ISLAND, DRIVEWAY APPROACHES, SIDEWALKS, YARDWALKS, ADA CURBRAMPS, REHABILITATION OF STORM SEWER STRUCTURES, MULCHED SEEDING RESTORATION

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, SIDEWALKS, YARDWALKS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RECONSTRUCTION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 3rd day of Dec, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Carolyn S. Stewart for
Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6513-97
LENOX AVENUE IMPROVEMENTS: HOAGLAND AVENUE TO CALHOUN STREET
CDBG/CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
LENOX AVENUE FROM HOAGLAND AVENUE TO CALHOUN STREET BY RECONSTRUCTING THE ROADWAY WITH NEW BITUMINOUS PAVEMENT WITH UNDERDRAINS, CONSTRUCT NEW CURBS, SIDEWALKS AND CURB RAMPS, RECONSTRUCTING THE DRIVE APPROACHES AND REHABILITATING THE STORM SEWER STRUCTURES

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. This project is funded jointly by Community Development Block Grant and CEDIT Neighborhood Funds.

This project is partially funded by a HUD Community Development Block Grant, therefore, is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 26 **day of** NOV. **, 19**97.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

C. James Owen

C. James Owen
Member

John Stafford

John Stafford
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Clerk

BOARD OF PUBLIC WORKS

RESOLUTION 84-211-3

RESOLUTION TO TERMINATE LEASE AGREEMENTS WITH BURKHART ADVERTISING

WHEREAS, the City of Fort Wayne has lease agreements with Burkhart Advertising for billboards located at 1835 N. Clinton Street, Lakeside Bridge and 4535 Bluffton Road; and

WHEREAS, the City Planning Staff has indicated all three billboard locations are not in conformance with the City Sign Ordinance; and

WHEREAS, it is the Board of Public Works' desire to uphold the provisions of the Sign Ordinance, and to improve the appearance and aesthetic quality of Fort Wayne.

NOW THEREFORE, the Board of Public Works hereby votes to terminate the three (3) leases with Burkhart Advertising effective December 31, 1997.

Resolved this 26 day of NOV., 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk, Chairman

C. James Owen, Member

John Stafford, Member

ATTEST: Patricia J. Crick, Clerk

Dismantling period extended 90 days
March 31, 1998.

IMPROVEMENT RESOLUTION NO. 6512-97
OLIVER STREET IMPROVEMENTS:
RUDISILL BLVD. NORTH TO OXFORD STREET
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
OLIVER STREET FROM RUDISILL BLVD. NORTH TO OXFORD STREET RECONSTRUCTION OF CONCRETE SIDEWALKS & CURBS, CURB RAMPS, YARDWALKS, COMMERCIAL (ALLEY)/RESIDENTIAL DRIVE APPROACHES AND MULCHED SEEDING RESTORATION

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 26 day of NOV. , 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Clerk

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 84-200-3

RESOLUTION FOR REIMBURSEMENT OF COSTS ASSOCIATED WITH THE WATER MAIN REPLACEMENT IN CONJUNCTION WITH GOSHEN AVE. BRIDGE REPLACEMENT OVER THE LOWTHER NEUHAUS DITCH

WHEREAS, the Allen County Highway Department is replacing the Goshen Avenue Bridge over the Lowther Neuhaus Ditch; and

WHEREAS, The bridge replacement will require the replacement of the 12" water line located on the northern side of Goshen Avenue; and

WHEREAS, the Fort Wayne Water Utility through the Board of Public Works has hired Beam, Longest, and Neff, Inc., to prepare plans and specifications for the relocation project; and

WHEREAS, The relocation project will be bid through the County with the bridge reconstruction project to facilitate coordination of the project; and

WHEREAS, the Fort Wayne Water Utility shall reimburse the Allen County Highway Department the costs associated with the water main relocation on a unit price basis of materials installed;

NOW, THERFORE the Board of Public Works and The Allen County Commissioners do hereby approve this resolution.

Recommended for Approval by:

William L. G. Etzler, P.E.
Executive Director, Allen Co. Highway

Recommended for Approval by:

Tim A. Warren
Manager of Water Engineering

BOARD OF COUNTY COMMISSIONERS

Edwin J. Rousseau, President

Linda K. Bloom, Vice-President

Jack C. McComb, Secretary

Attest: Therese M. Brown, Auditor

November 19, 1997

BOARD OF PUBLIC WORKS

Linda Buskirk, Chairman

C. James Owen, Member

John Stafford, Member

Attest: Patricia J. Crick, Clerk

November 19, 1997

ADDITIONAL BID SHEET

FOR
WATER RELOCATION
AT
GOSHEN AVENUE OVER LOWTHER NEUHAUS DITCH
ALLEN COUNTY BRIDGE #104
PROJECT BR 0495

#	QUANTITY	DESCRIPTION	UNIT PRICE	EXTENSION
1	Lump Sum	Mobilization and Demobilization		
2	315 ± L.F.	12" Water Main	50.00	15,750
3	60 ± L.F.	12" Water Main - Ditch Crossing	80.00	4800
4	5 ± EA	45 Deg. Elbow - 12"	750.00	3,750
5	3 ± EA	90 Deg. Elbow - 12"	750.00	2,250
6	600 SY	Seeding to be incorporated w/ Con-7		
7	1 ± EA	Solid Plug (MJ) - 12"	350.00	350
8	2 ± EA	Cap (MJ) - 12"	500.00	1,000
9	Lump Sum	R/W Permit		
TOTAL WATER RELOCATION BID				27,900

BOARD OF PUBLIC WORKS

CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 84-191-2

WHEREAS, the Board of Public Works of the City of Fort Wayne believes the acquisition of various parcels of property is necessary to complete the construction of the Wallace/Lafayette Street Maintenance Complex; and

WHEREAS, the Wallace/Lafayette Street Maintenance Complex is presently owned by the Fort Wayne Building Corp. and leased to the City; and

WHEREAS, the combined purchase of all the designated properties, as well as relocation expenses, will not exceed $280,410.00.

NOW, THEREFORE BE IT RESOLVED: The Board of Public Works of the City of Fort Wayne hereby requests the Fort Wayne Building Corp. to purchase the following parcels of property necessary to complete construction of the City of Fort Wayne's Wallace/Lafayette Street Maintenance Complex:

	PROPERTY	APPRAISAL	RELOCATION EXPENSE
1.	532 East Wallace Street	$10,000.00	yes
2.	518 East Wallace Street	$ 4,000.00	yes
3.	514 East Wallace Street	$ 5,000.00	yes
4.	524 East Wallace Street	$ 100.00	n/a

5.	520 East Wallace Street	$ 100.00	n/a
6.	504 East Wallace Street	$ 100.00	n/a
7.	1823 South Lafayette Street	$ 4,000.00	yes
8.	542 E. Wallace Street	$62,000.00	yes
		average of two (2) appraisals	
	TOTAL:	$85,300.00	

IN WITNESS WHEREOF, this Resolution is adopted at a duly called meeting of the Board of Public Works this 12 day of Nov., 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Director of Public Works

John Stafford, Member

C. James Owen, Member

ATTEST:

Patricia J. Crick, Clerk

WATER POLLUTION CONTROL PLANT
FINE BUBBLE DIFFUSERS
RESOLUTION 557-1997

RESOLVED BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

In order for the Fort Wayne Water Pollution Control Plant to treat sewage at a price competitive with private operations, the existing course bubble aeration system must be replaced with a more energy efficient fine bubble aeration system. It is deemed necessary to do the following described work:

WORK

Remove existing coarse bubble diffusers, modify air feed piping, and provide new fine pore aeration equipment, airflow control valves and instrumentation consisting of new air flow meters, dissolved oxygen analyzers, temperature and pressure elements with transmitters for remote indication and control.

Said improvements with all their appurtenances shall be constructed in accordance with the project contract documents.

The cost of said water Pollution Control Plant Improvements shall be paid by Water Pollution Control Utility Revenue Bonds.

APPROVED this 12 day of NOVEMBER, 1997.

BOARD OF PUBLIC WORKS

By Linda Buskirk
Linda Buskirk, Chairman

By James Owen
C. James Owen, Member

By John Stafford
John Stafford, Member

ATTEST: Patricia Crick
Patricia Crick, Clerk

IMPROVEMENT RESOLUTION NO. 6511-97
CREIGHTON-HOME NEIGHBORHOOD IMPROVEMENTS 1997
CDBG

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
HOME AVENUE FROM BROADWAY TO INDIANA AVENUE,
BEAVER AVENUE FROM HOME AVENUE TO SAVILLA AVENUE, AND
PIERCE AVENUE FROM SOUTH WAYNE AVENUE TO FAIRFIELD AVENUE
BY RECONSTRUCTING CURBS, SIDEWALKS, DRIVE APPROACHES
AND CONSTRUCTING NEW CURB RAMPS AT PEDESTRIAN CROSSINGS

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by Community & Economic Development Department.

This project is funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 12 **day of** NOVEMBER, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

James Owen

C. James Owen
Member

John Stafford

John Stafford
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Clerk

TAYLOR STREET/SLATER STEEL
SANITARY SEWER REROUTE
RESOLUTION 550-1997

RESOLVED BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

In order for Slater Steels Corporation, Fort Wayne Specialty Alloys Division, to complete the overall flood proofing of its Taylor Street Facilities, an existing Fort Wayne City Utilities 12" diameter sanitary sewer line, which currently begins on the south side of Taylor Street and extends into the Slater Steels property, must be rerouted away from the Slater Steel's property. It is deemed necessary to construct a new sanitary sewer parallel to Taylor Street proceeding along the following described centerline:

MAINLINE

Beginning at a proposed manhole on an existing 24" diameter sanitary sewer located 26± L.F. north of and 4± L.F. east of the centerlines of the intersection of Taylor Street and Bright Street; Thence east 745± L.F., passing under the Junk Ditch, and terminating at a proposed manhole.

Said sewer to be 745± L.F. of 12" diameter pipe with 5 manholes.

Said sewer improvement with all its appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said sewer improvement shall be paid by the joint funds from Fort Wayne Sewer Utility, Slater Steels, and the Urban Enterprise Association. Per a letter of understanding Slater Steels shall contribute a maximum of $30,000.00, the Urban Enterprise Association shall contribute a maximum amount of $50,000.00, and Fort Wayne City Utilities shall contribute the amount of all costs over and above $80,000.00.

APPROVED this 29 day of OCTOBER, 1997.

BOARD OF PUBLIC WORKS

By Linda Buskirk
Linda Buskirk, Chairman

By C. James Owen
C. James Owen, Member

By John Stafford
John Stafford, Member

ATTEST: Patricia J. Crick
Patricia Crick, Clerk

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

RESOLUTION

WHEREAS, on September 24, 1997, the Board of Public Works did appoint Lowell K. Griffin and Verne V. Mitchell to appraise, pursuant to I.C. 36-1-10-11, the eight parcels of real estate set forth in Exhibit "A" attached hereto, in anticipation of the sale of said properties to the Fort Wayne Municipal Building Corp.;

WHEREAS, on October 6, 1997, said appraisers did deliver their report establishing the fair market value of each of said parcels;

WHEREAS, state law requires that the sale price be not less than the appraised value of the parcel to be sold;

WHEREAS, the appraised values exceed the purchase price of any parcel acquired within the last two (2) years;

WHEREAS, parcels I-IV and VI-VIII are titled in the name of the City of Fort Wayne and parcel V is titled in the name of the City Utilities of the City of Fort Wayne;

NOW, THEREFORE, BE IT RESOLVED ON BEHALF OF THE CITY OF FORT WAYNE AND THE CITY UTILITIES:

1. The parcels of real estate set forth in Exhibit "A" hereto shall be sold to the Fort Wayne Municipal Building Corp. for the following prices:

A.	Parcel I	-	$225,000
B.	Parcel II	-	$330,000
C.	Parcel III	-	$850,000
D.	Parcel IV	-	$195,000
E.	Parcel V	-	$ 45,000
F.	Parcel VI	-	$430,000
G.	Parcel VII	-	$690,000
H.	Parcel VIII	-	$ 53,000

2. The members of the Board are hereby authorized to execute all documents necessary to complete the conveyance of said parcel of real estate to the Fort Wayne Municipal Building Corp.

Date: October 29, 1997

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

BY: Linda Buskirk
Linda Buskirk

BY: John Stafford
John Stafford

BY: _____
C. James Owen

EXHIBIT A - LEGAL DESCRIPTION

PARCEL I:

Lot A in Hamilton's Fifth Addition to the City of Fort Wayne, as recorded in Deed Record 69, page 199.

ALSO, a tract of land in the East Half of the Northeast Quarter of Section 11, Township 30 North, Range 12 East, in the City of Fort Wayne, Allen County, Indiana, being part of the space East of Lot A in Hamilton's Fifth Addition to the City of Fort Wayne, described as follows, to-wit:

BEGINNING at the Southeast corner of Lot A in Hamilton's Fifth Addition; thence North along the East line of the said Lot A in Hamilton's Fifth Addition, a distance of 320.083 feet to the South right-of-way line of the Wabash Railroad Company; thence East along the said South right-of-way line of the Wabash Railroad Company, a distance of 72 feet; thence South parallel to the aforesaid East line of Lot A in Hamilton's Fifth Addition, a distance of 320.083 feet to the North line of Murray Street; thence West along the said North line of Murray Street, a distance of 72 feet to the place of beginning.

PARCEL II:

Lots Numbered 33, 34, 35, 88, 89 and 90 in Hamilton's Second Addition to the City of Fort Wayne, as recorded in Deed Record 31, page 250.

PARCEL III:

A tract or parcel of land bounded as follows:

COMMENCING at the Southeast corner of Lafayette and Toledo Streets in the City of Fort Wayne which point is the Northwest corner of Lot Number 125 in Lewis Addition to the City of Fort Wayne; thence running East along the South line of Toledo Street to the West line of Monroe Street; thence running South along the West line of Monroe Street to the Southeast corner of Lot Number 152 in said Lewis Addition to an alley; thence running West along the North line of said alley to the Southwest corner of Lot Number 165 in Lewis Addition to an alley; thence running North 210 feet to the Southwest corner of

Continued on next page

Lot Number 128 in said Addition; thence running West to Lafayette Street; thence running North along the East line of Lafayette Street to the place of beginning.

Said parcel including Lots Numbered 125 to 141 inclusive, and Lots Numbered 152 to 165 inclusive, in Lewis Addition to the City of Fort Wayne, as recorded in Deed Record Y, page 534, and the street and alleys within said boundaries heratofore vacated which includes the following:

That part of vacated Virginia Street from the East line of the alley East of Lafayette Street to the West line of Monroe Street; also together with that part of vacated Clay Street from Toledo Street to the alley South of Virginia Street; also the vacated alley East of Lafayette Street from Toledo Street to Virginia Street, all vacations as recorded in Plat Record 2, page 76; also together with that part of vacated Virginia Street, as vacated by Declaratory Resolution Number 961-1957; also that part of the North 11.33 feet of the vacated alley East of Lafayette Street from the South property line of Virginia Street to a point 11.33 feet South, as vacated by Declaratory Resolution Number 962-1957; also that part of vacated Toledo Street from the East property line of Lafayette Street to the West property line of Monroe Street, as vacated by Declaratory Resolution Number 1400-1975; also that part of the vacated alley lying West of Lot Number 165 in Lewis Addition and that part of the vacated alley lying South of Lots Numbered 154 through 165 in Lewis Addition, as vacated by General Ordinance Number G-08-78.

PARCEL IV - TRACT A:

A tract of land in the East Half of the Northeast Quarter of Section 11, Township 30 North, Range 12 East in the City of Fort Wayne, Allen County, Indiana, being part of the space East of Lot A in Hamilton's Fifth Addition to the City of Fort Wayne, Indiana, described as follows, to-wit:

BEGINNING at a point on the North line of Murray Street in the City of Fort Wayne, Indiana, said point being located 72.16 feet East of the Southeast corner of Lot A in Hamilton's Fifth Addition to the City of Fort Wayne, Indiana; thence North parallel to the East line of the said Lot A in Hamilton's Fifth Addition, a distance of 320.49 feet to the South right-of-way line of the Wabash Railroad Company; thence East along the said South right-of-way line of the Wabash Railroad Company, a

Continued on next page

distance of 100.0 feet; thence South parallel to the said East line of Lot A in Hamilton's Fifth Addition, a distance of 320.29 feet to the aforesaid North line of Murray Street in the said City of Fort Wayne, Indiana; thence West along the said North line of Murray Street, a distance of 100.0 feet to the place of beginning.

PARCEL IV - TRACT B:

A tract of land in the East Half of the Northeast Quarter of Section 11, Township 30 North, Range 12 East in the City of Fort Wayne, Allen County, Indiana, being part of the space East of Lot A in Hamilton's Fifth Addition to the City of Fort Wayne, Indiana, described as follows, to-wit:

BEGINNING at the intersection of the West property line of Lafayette Street and the North property line of Murray Street in the City of Fort Wayne, Indiana, said point of intersection being situated 272.16 feet East of the Southeast corner of Lot A in Hamilton's Fifth Addition to the City of Fort Wayne, Indiana; thence West along the said North property line of Murray Street, a distance of 100 feet; thence North on a line parallel to the East line of the said Lot A in Hamilton's Fifth Addition, a distance of 320.29 feet to the South right-of-way line of the Wabash Railroad Company; thence East along the said South right-of-way line of the Wabash Railroad Company, a distance of 100 feet to the aforementioned West property line of Lafayette Street; thence South along the said West property line of Lafayette Street, a distance of 320.08 feet to the place of beginning.

PARCEL V:

Lots Numbered 214 and 215 and the South 20 feet of Lot Number 213 in Lewis Addition to the City of Fort Wayne, as recorded in Deed Record Y, page 534.

PARCEL VI:

Lots Numbered 1, 2, 3, 4, 21, 22, 23, 24 and 25 in Pierce Park Addition, together with the North Half of the vacated street lying South of Lot Number 25, an Addition to the City of Fort Wayne, as recorded in Plat Record 10, page 88 in the Office of the Recorder of Allen County, Indiana.

Continued on next page

EXHIBIT A - CONT'D

TOGETHER WITH the North 165 feet of the West 264 feet of the Northwest Quarter of the Northwest Quarter of Section 33, Township 31 North, Range 12 East Allen County, Indiana, containing 1 acre, more or less.

PARCEL VII:

Lot Number 43 except the South 5 feet thereof; and Lot Number 44, except that part appropriated for Anthony Boulevard-Crescent Avenue intersection right-of-way, together with Lots Numbered 45, 46, 47 and 48, all in Paramount Place Addition, the plat of which is recorded in Plat Book 12, page 68 in the Office of the Recorder of Allen County, Indiana, also together with that part of vacated Hazelwood Avenue, lying North of the aforesaid lots as vacated by Declaratory Resolution No. 904-1955, also together with that part of vacated Hazelwood Avenue, 60 feet wide, as opened by Declaratory Resolution No. 905-1955, and subsequently vacated by Declaratory Resolution No. 1071-1961, said part lying West of the Northerly projection of the East line of Lot Number 48 in said Paramount Place Addition, also together with parts of Lot Number 9 in St. Joseph Park Addition, the plat of which is recorded in Plat Book 3, page 68 in the Office of said Recorder, said parts also lying West of the Northerly projection of the East line of said Lot Number 48, all together being more particularly described as follows, to-wit:

BEGINNING on the Easterly right-of-way line of Crescent Avenue at a point situated 206.41 feet, South 39 degrees 42 minutes West (deed bearing and is used as the basis for the bearings in this description) from the point of intersection of said Easterly right-of-way line with the Southerly right-of-way line of Hazelwood Avenue as it presently exists, said point of beginning being also the Southwest corner of a 0.49 acre tract of land conveyed to Peoples Trust and Savings Company, as Parcel 2, by deed dated August 27, 1968 and recorded in Deed Record 712, pages 347-350 in the Office of the Recorder of Allen County, Indiana; thence South 36 degrees 02 minutes 02 seconds West on said Easterly right-of-way line, a distance of 57.43 feet to a point on said Easterly right-of-way line as described in Document Number 89-47513 in the Office of said Recorder; thence continuing on said Easterly right-of-way line, the following 4 courses: South 33 degrees 59 minutes 12 seconds West, 50.25 feet, South 28 degrees 23 minutes 14 seconds West, 50.99 feet; South 20 degrees 07 minutes 34 seconds West, 42.45 feet, and South 12 degrees 47 minutes 34 seconds West, 25.96

Continued on next page

feet to the point of intersection of said Easterly right-of-way line with the Westerly extension of the South lines of aforesaid Lots Numbered 45, 46, 47 and 48 in Paramount Place Addition; thence South 89 degrees 56 minutes East, on said Westerly extension and the South lines of said Lots Numbered 45, 46, 47 and 48, a distance of 385.26 feet to the Southeast corner of said Lot Number 48, being also the Southwest corner of a 1.15 acre tract of land conveyed to Peoples Trust and Savings Company, as parcel I in aforesaid Deed Record 712, pages 347-350 in the Office of said Recorder; thence North 00 degrees 12 minutes 00 seconds West (recorded North 00 degrees 13 minutes West by adjoining deed), on and along the East line of said Lot Number 48 and the Northerly projection thereof, being also a Westerly line of said 1.15 acre tract, a distance of 169.20 feet; thence South 38 degrees 57 minutes 40 seconds West, 140.00 feet; thence North 00 degrees 12 minutes 00 seconds West, 32.50 feet to the South line of said 0.49 acre tract; thence South 38 degrees 57 minutes 40 seconds West (recorded South 38 degrees 53 minutes 09 seconds West by adjoining deed), on said South line, 38.11 feet to the point of beginning, containing 1.00 acre of land, more or less.

PARCEL VIII:

Part of the Northeast Quarter of the Northeast Quarter of Section 27, Township 31 North, Range 13 East, in Allen County, Indiana, more particularly described as follows, to-wit:

BEGINNING at the Southwest corner of the Northeast Quarter of said Northeast Quarter; thence Northerly, on and along the West line of the Northeast Quarter of said Northeast Quarter and within the right-of-way of Lahmeyer Road, a distance of 267.0 feet; thence Easterly, by a deflection angle right of 90 degrees 51 minutes and parallel with the South line of the Northeast Quarter of said Northeast Quarter, a distance of 350.0 feet to a 5/8-inch rod; thence Southerly, by a deflection angle right of 89 degrees 09 minutes and parallel with said West line, a distance of 267.0 feet to the South line of the Northeast Quarter of said Northeast Quarter; thence Westerly, on and along said South line, a distance of 350.0 feet to the point of beginning, containing 2.145 acres of land.

END OF EXHIBIT A

RESOLUTION 84-167-6

A RESOLUTION CONFIRMING THAT SERVICES RENDERED BY VIRTUE OF AN INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM) GRANT APPLICATION FOR RECYCLING EQUIPMENT WILL NOT DISPLACE PRIVATE SECTOR SERVICES

WHEREAS, the City of Fort Wayne has provided Municipal Services of a nature requiring specified equipment, and

WHEREAS, the specific equipment, Leaf Vacuums, are needed for this continued and improved service, and,

WHEREAS, the City of Fort Wayne has never contracted this service, but, rather accommodated this service with past and current City employees, and,

WHEREAS, this service will promote the Public health, welfare, and safety of the residents of the City of Fort Wayne, the City of Fort Wayne Board of Public Works determines that the pursuit of this Grant will not negatively impact the private sector, and, most importantly, will improve our diversion rate of recyclable materials apart from solid waste landfills.

BY VIRTUE OF THE BELOW SIGNATURES WE OFFICIALLY RESOLVE THE ABOVE TO BE A TRUE APPRAISAL OF THE POSTURE OF THE CITY OF FORT WAYNE BOARD OF PUBLIC WORKS THIS 22 DAY OF Oct, 1997.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Linda Buskirk, Chairman

C. James Owen, Member

John Stafford, Member

ATTEST:

Carolyn S Newport for

Patricia J. Crick, Clerk

GS INTERCEPTOR SEWER RELIEF PROJECT
PHASE I
RESOLUTION NO. 555 - 1997

ROS0LUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The GS Interceptor Sewer is undersized according to the Master Plan and the Preliminary Engineering Study for Capacity Improvements in the St. Marys Interceptor Basin and has experienced backups and overflow conditions. This situation is also causing backups in the Waynedale Area. It is, therefore, necessary to design and construct a section of a relief sewer to correct the current lack of capacity. This project is to construct a 30-inch relief sewer.

MAINLINE

Beginning on the 27-inch Harber Ditch sewer just south of an existing structure where the Harber Ditch and the GS Interceptor intersect, located approximately 25± LF east of the intersection of Ardmore and Lower Huntington Rd. on Lower Huntington Rd., thence northeast paralleling the existing GS Interceptor 10,590 ± LF terminating at a existing manhole on the existing GS Interceptor Sewer approximately 180 LF north and 90 LF east of the intersection of Gates Dr. and Cle Elum Dr.,

Said improvements with all its appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

Said improvements with all its appurtenances would include the acquisition of easements to real estate to complete the GS Interceptor Relief Project.

The cost of the said sewer improvements shall be paid by the funds from Fort Wayne Sewer Utility and County TIF.

APPROVED THIS 15 DAY OF OCTOBER, 1997.

BOARD OF PUBLIC WORKS

BY: Linda Buskirk
Linda Buskirk, Chairman

BY: C. James Owen
C. James Owen, Member

BY: John Stafford
John Stafford, Member

ATTEST: Patricia J. Crick
Patricia Crick, Clerk

GS INTERCEPTOR SEWER RELIEF PROJECT
PHASE II
RESOLUTION NO. 543 - 1997

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The GS Interceptor Sewer is undersized according to the Master Plan and the Preliminary Engineering Study for Capacity Improvements in the St. Marys Interceptor Basin and has experienced backup and overflow conditions. This situation is also causing backups in the Waynedale Area. It is, therefore, necessary to design and construct a section of a relief sewer to correct the current lack of capacity. This project is to construct a 30-inch relief sewer.

MAINLINE

Beginning at the proposed manhole on the proposed GS Interceptor Relief Sewer Phase I approximately 180 LF north and 100 LF east of the intersection of Gates Dr. and Cle Elum Dr., thence northeast 3910 ± LF terminating at an existing structure approximately 600 LF north and 520 LF east of the intersection of Bluffton Rd. and Winchester Blvd.

Said improvements with all its appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

Said improvements with all its appurtenances would include the acquisition of easements to real estate.

The cost of the said sewer improvements shall be paid by the funds from Fort Wayne Sewer Utility.

APPROVED THIS 15 DAY OF OCTOBER, 1997.

BOARD OF PUBLIC WORKS

BY: Linda Buskirk
Linda Buskirk, Chairman

BY: James Owen
C. James Owen, Member

BY: John Stafford
John Stafford, Member

ATTEST: Patricia J. Crick
Patricia Crick, Clerk

REED ROAD: 3900 BLOCK

IMPROVEMENT RESOLUTION NO. 6510-97

CEDIT, PRIVATE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: the west side of Reed Road north of Trier Road by enclosing the side ditch with pipe, grading park strip behind curb with fill and restore with grass.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) and private contribution.

Adopted, this 15T day of OCTOBER, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

BOARD OF PUBLIC WORKS RESOLUTION

A Resolution approving the Extension of the contract for Municipal yard waste pick-up service zone 1 (City-Wide) between U.S.A. Waste, Inc. and the City of Fort Wayne in connection with the Board of Public Works;

WHEREAS, Common Council requested that the Board of Public Works, by and through its Solid Waste Department, initiate and approve a six (6) week extension of the Municipal Yard Waste pick-up Service Contract for 1997, for bi-weekly pick-up;

NOW THEREFORE, be it resolved that the Board of Public Works establish a six week extension of the Green Waste collection period on a bi-weekly basis commencing on October 20, 1997 and ending on November 29, 1997, through its contract with U.S.A. Waste, at a cost of $94.12 per ton.

Linda Buskirk, Chairman

C. James Owen, Member

John Stafford, Member

ATTEST:

Patricia J. Crick, Clerk

10-1-97

A RESOLUTION establishing the cost-sharing policies for neighborhood capital improvement projects, and establishing how petitions for such projects are processed by the Fort Wayne Board of Public Works.

RESOLUTION #83-45-10

WHEREAS, The Board of Public Works of the City of Fort Wayne, Indiana, has the legal authority and responsibility to construct and maintain the City's public infrastructure and to establish property-owner participation procedures for the payment of neighborhood capital improvements;

NOW THEREFORE, the Board of Public Works hereby adopts the following policies and processes through which citizens may petition for neighborhood capital improvements and pay for those improvements:

I. THE PETITION PROCESS

A. **PETITIONS:** Citizens who desire the City of Fort Wayne to make infrastructure improvements in their neighborhood should petition for those projects directly to the Board of Public Works through their City Council representative. All projects are subject to the availability of adequate funds.

B. **SIGNATURES REQUIRED:** Any petition requesting improvements for which affects property owners will be required to pay a portion of the costs must be signed by at least 51% of the affected property owners, except where different percentage amounts are set forth below. "Affected property owners" are defined as those owning property adjacent to the improvement project.

The minimum level of signatures on the petition is established as an indication that the project is supported by a majority of the affected property owners. Petitions not containing the established amount of signatures may continue to be processed at the request of the City Council representative providing funding for the engineering work from his/her district's allotment of County Economic Development Income Tax (CEDIT) dollars.

C. **ENGINEERING EVALUATION:** Petitions must be reviewed for improvement need by engineering staff - The Board of Public Works will determine proceeding with improvement based on engineering evaluation of need.

D. **PUBLIC HEARING:** After a petition has been filed and City Engineers have prepared a cost estimate for the project, along with an estimate of what each property owner's assessment will be, a public hearing will be held to inform property owners of project details. Property owners will be notified by mail of the public hearing.

E. **REMONSTRANCE:** If at least 51% of the affected property owners, who oppose the project, sign a remonstrance petition and file it with the Board of Public Works within 10 days of the initial public hearing, the project will be canceled.

F. **RE-PETITIONING AFTER A SUCCESSFUL REMONSTRANCE:** After a successful remonstrance of a project, citizens may file a new petition for the project no sooner than six (6) months after the remonstrance was filed with the Board of Public Works. The six-month requirement shall be waived if the new petition changes the project's scope (i.e.: reducing the geographic area).

II. COST SHARING GUIDELINES FOR SPECIFIC KINDS OF PROJECTS

A. STREET-CURBS-SIDEWALK

SIDEWALK INSTALLATION OR REPLACEMENT;
REPLACEMENT OF CURBS OR INSTALLATION OF NEW CURBS;
CURB AND SIDEWALK OR CURBFACE WALKS;
STREET RECONSTRUCTION;
SIDEWALKS, CURBS AND NEW STREET INSTALLATIONS;

GUIDELINES:
Property owners within the project's limits will pay 60% of the cost of the sidewalk, curb, yardwalks and driveway approach improvements adjacent to their property, with assessment based on lineal footage; the City will pay 40% of these costs. Drive approach work required because of the project will be assessed based on square yardage of the drive approach. Improvement costs shall include engineering, the labor and material for installing the new item(s), removal of old item(s), excavation, bedding, restoration, engineering, inspection and other expenses associated with the project, such as drainage improvements, when necessary.

The funding of petitions requesting "street reconstruction" depends on whether the existing street is already "improved" or "unimproved", as determined by the Transportation Engineering Services Department. Generally, an "improved" street was built with subsurface drainage and curbs. Reconstruction of an improved street is funded 100% with City funds, when available. An "unimproved street" is generally built with no drainage provisions and no curbs. Reconstructing an unimproved street means the street will be built to "improved" street standards. In this case, affected property owners will pay 60% of the overall project's costs, and the City will pay 40%.

B. **STREET LIGHTS:** All requests for additional street lighting must come to the Board of Public Works in the form of a petitions signed by **60%** of the property owners in the city block or blocks described in the petition (per IC 36-9-9-3b). Funding options for street lighting petitions are as follows:

- **Standard overhead street lights** will be funded 100% with City dollars, with project priority determined by the Board of Public Works, or as funding is allocated by the appropriate City Council representatives. Wiring will meet the petitioning neighborhood's existing covenant conditions. If no covenants exist to prevent overhead wiring, but residents desire underground wiring for standard street lights, then residents shall pay for 60% of the installation costs of the project, and the City shall pay for 40% of the installation costs and for 100% of the materials costs). Property owners' assessments will be based on lineal footage, unless the petition specifically requests that the property owners' share be divided evenly among all property owners.

- **Ornamental street light** improvement projects shall be funded 60% by property owners within the project's limits, and 40% by the City. Property owners' assessments will be based on lineal footage, unless the petition specifically requests that the property owners' share be divided evenly among all property owners. Ornamental lighting to be placed only at street intersections is NOT an option available to property owners and shall not be approved by the Board of Public Works.

- **STREET LIGHTS IN NEWLY-ANNEXED AREAS:** Street lighting annexation commitments for newly-annexed neighborhoods will be fulfilled exclusively with 30' standard wooden or aluminum poles with wiring that meets each neighborhood's wiring covenant conditions. Newly-annexed property owners who desire more street lights than an annexation commitment requires must petition for the additional lighting, or ornamental lighting, in accordance with the policies described above. The possibility of such a petition will not preclude installation of street lights required by a City annexation commitment. However, the City staff will work with neighborhood associations/petitions to avoid installation of unwanted types of street lights if a successful petition effort is likely.

  Newly annexed neighborhoods which do not want any street lighting installed by the City per City annexation commitments may petition the Board of Public Works to prevent the installation. Such a petition may request no lights for a portion of the neighborhood or for the entire neighborhood. Regardless, however, such a petition must be signed by two-thirds of the property owners in the entire neighborhood association being annexed. While these petitions may be considered and approved, neighborhood streets intersecting with collector or arterial streets shall comply with the terms of the City's annexation commitment. The Board of Works always reserves the right, based on public safety concerns, to install lights where necessary.

C. **ALLEY RECONSTRUCTION:** Property owners within the project's limits will pay 75% of the cost of the improvements adjacent to their property, with assessments based on lineal footage; the City will pay 25% of these costs.

D. **WATER PROJECTS:** When petitions for water mains are received, Water Engineering shall prepare a conceptual design for local water mains to serve the petitioners. The cost of the conceptual design shall be estimated and allocated equally to the properties affected. Water Engineering shall also collect other information pertinent to the project (petitioner alternatives, cost to other area residents, cost to the Utility and availability of funds). Water Engineering shall then present the petitioner's options to the Board of Public Works and identify the financing option Water Engineering determines is most feasible. If the Board determines that Barrett Law funding of a water main is the most feasible, then they shall order Water Engineering to proceed with the preparation of detailed drawings, specifications and a resolution ordering the installation of the local water main. Other financing options include up-front property owner payment or, very rarely, utility revenue with long term property owner reimbursement.

The property owners will pay for 100% of the mail installation if they do not currently have City water. If oversizing of said main is a required by the City, the City will pay for that portion of the water main that represents the oversizing. The City pays full cost for maintenance and replacement of existing public lines.

E. **SANITARY SEWER PROJECTS:** When petitions for sanitary sewers are received, Water Pollution Control Engineering (WPCE) will prepare a conceptual design for a local sewer system to serve the petitioners. The cost of the conceptual design shall be estimated and allocated to the lots/units affected by the proposed system using the method established in IC-36-9-39. WPCE shall also collect other information pertinent to the project (petitioner alternatives, cost to other area residents, cost to the Utility and availability of funds). WPCE shall ten present the petitioner's options to the Board of Public Works and identify the option WPCE feels is most feasible. If the Board determines that Barrett Law funding of a sanitary sewer project is the most feasible, then they shall order WPCE to proceed with the preparation of detailed drawings, specifications and a resolution ordering the installation of the local sewer.

No set percentage of affected property owners is required to petition by Indiana law with sewer projects since, according to IC 36-9-39, the only test for proceeding with a sewer project is whether or not the "special benefits that will accrue to the property to be assessed with be equal to the estimated cost of the works."

Expenses associated with the engineering, construction and inspection of the local sewer project shall be allocated to property owners according to IC 36-9-39. The property owners hall pay the $4,000.00 of cost allocated to each unit or lot whether or not connected. No deferrals will be granted. The Water Pollution Control Utility shall pay the remainder of the engineering, construction and inspection costs. No project shall proceed until funds have been budgeted for the Utility's share of the costs.

Property owners shall pay area connection and other applicable special fees when they apply for a tap permit. These fees are not considered to be engineering, construction or inspection costs and shall not be included in the $4,000.00 maximum assessment per unit/lot.

The City pays full cost for maintenance and replacement of existing public lines.

F. **STORMWATER DRAINAGE PROJECTS:** Upon receiving a petition for stormwater drainage improvements, the Stormwater Engineering Department shall undertake a preliminary investigation and analysis of the situation precipitating the petition. The nature and degree of the problem will be determined, as will the affected properties and affecting parties. Components of the drainage system(s) in the area will be identified and evaluated as to their condition, capacity, performance, and adequacy. A conceptual design will be developed, identifying and differentiating local or lateral component improvements to serve the petitioners, and any area truckline drain improvements that will also be necessary.

A local and/or lateral drain shall be defined as a drain that serves as an outlet for a local watershed or for a subbasin within a neighborhood or subdivision. An area trunkline is a drain which outfalls multiple local or lateral drains.

Expenses associated with the engineering, construction, and inspection of local and lateral drain improvement projects shall be allocated to property owners according to IC 36-9-39. The property owners shall pay the first $4,000.00 of cost allocated to each lot to be drained. No deferrals will be granted. The Department of Stormwater Management shall pay the remainder of the engineering, construction, and inspection costs. There may be instances where the Utility considers oversizing a local line on anticipation of converting this line to an area truckline sometime in the future; when this is the case, the property owners will be responsible only for the drain costs associated with their subbasin capacity needs, and the Utility will fund any additional costs due to the oversizing. No project shall proceed until funds have been budgeted for the Utility's share of the cost.

The basis for proceeding on a petitioned sewer or drainage improvement project according to IC 36-9-39 is not the percentage of affected property owner signatures on the petition, but, whether or not the special benefits that will accrue to the property to be assessed will be equal to the estimated cost of the works. The City pays full cost for maintenance and replacement of public lines.

III. MISCELLANEOUS

A. **EXCEPTIONS:** Exceptions to the standard petition process and cost-sharing policies include projects funded by federal or state community development or economic development grants, or as requested by City Council representatives with CEDIT neighborhood capital improvement funds. The Board of Public Works may consider any project on an individual basis and may make any adjustments that the Board deems necessary to complete a project.

B. **CALCULATING PROJECT COSTS:** Property owners will be assessed based on the guidelines described in the above categories. Also, any alley approaches that are being replaced, corner wing-walks that are being replaced or drainage structures that must be repaired as part of any project will be paid 100% by the City.

C. **ANNUAL REVIEW:** The Board of Public Works should review these policies and the petition procedure every year by January 31 and amend them as the Board deems necessary.

Adopted this October 30,1996, and
amended October 1, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk, Chairman

C. James Owen, Member

John Stafford, Member

ATTEST:

Patricia J. Crick, Clerk

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 84-155-22

Resolution Concerning Need For Consultant Services
To Provide Surveying Services For The Water Resources Department

Whereas, the Water Resources Department has the need for survey services for various projects; and,

Whereas, the Water Resources Department does not have the required resources to perform such work; and

Whereas, the Department is need of said survey services and said need is recognized;

Now, Therefore, the Board of Public Works hereby resolves to hire consultants on an as needed basis with an established hourly rate for survey services needed by the Water Resources Departments (Water Pollution Control Engineering, Stormwater Engineering, and Water Engineering) for various projects.

Approved this 1 day of OCT, 1997

BOARD OF PUBLIC WORKS

By _____
Linda Buskirk, Chairman

By _____
C James Owen, Member

By _____
John Stafford, Member

Attest: _____
Patricia J. Crick, Clerk
Board of Public Works

FORT WAYNE BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 84-161-7

RESOLUTION APPROVING THE GRANTING OF A PERMANENT EASEMENT TO JEFFERSON SMURFIT CORPORATION DUE TO THE VACATION OF THE CLAIR STREET RIGHT-OF-WAY IN HEADWATERS PARK

WHEREAS, the Fort Wayne Board of Public Works has acquired certain lands in the City of Fort Wayne for the purpose of flood control and the use of parts thereof for a public park known as Headwaters Park; and

WHEREAS, the Board of Public Works is the purchasing agent pursuant to I.C. 36-1-1.5-3 for the purpose of effecting such acquisition; and

WHEREAS, the Board of Public Works has employed the Fort Wayne Redevelopment Commission as its agent in the negotiation for and purchase of such real estate, relocation, environmental remediation, demolition, and other functions in aid of acquisition and site preparation; and

WHEREAS, construction of Headwaters Park has rendered useless the Clair Street right-of-way, which right-of-way is more particularly described in Exhibit A attached hereto and incorporated by reference herein; and

WHEREAS, Redevelopment Commission has petitioned on behalf of the Board of Works for the vacation of the Clair Street right-of-way; and

WHEREAS, through the normal vacation process, adjoining real estate owners were notified of the proposed vacation, and Jefferson Smurfit Corporation has responded, saying that it requires an easement to maintain vehicular access to its loading dock and waste receptacle; and

WHEREAS, Redevelopment Commission staff recommends that the Board of Works grant to Jefferson Smurfit Corporation the easement described in Exhibit B, attached hereto and incorporated by reference herein; and

WHEREAS, in return for the granting of said easement, Jefferson Smurfit Corporation has [illegible]

FORT WAYNE BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 84-161-7

RESOLUTION APPROVING THE GRANTING OF A PERMANENT EASEMENT TO JEFFERSON SMURFIT CORPORATION DUE TO THE VACATION OF THE CLAIR STREET RIGHT-OF-WAY IN HEADWATERS PARK

WHEREAS, the Fort Wayne Board of Public Works has acquired certain lands in the City of Fort Wayne for the purpose of flood control and the use of parts thereof for a public park known as Headwaters Park; and

WHEREAS, the Board of Public Works is the purchasing agent pursuant to I.C. 36-1-1.5-3 for the purpose of effecting such acquisition; and

WHEREAS, the Board of Public Works has employed the Fort Wayne Redevelopment Commission as its agent in the negotiation for and purchase of such real estate, relocation, environmental remediation, demolition, and other functions in aid of acquisition and site preparation; and

WHEREAS, construction of Headwaters Park has rendered useless the Clair Street right-of-way, which right-of-way is more particularly described in Exhibit A attached hereto and incorporated by reference herein; and

WHEREAS, Redevelopment Commission has petitioned on behalf of the Board of Works for the vacation of the Clair Street right-of-way; and

WHEREAS, through the normal vacation process, adjoining real estate owners were notified of the proposed vacation, and Jefferson Smurfit Corporation has responded, saying that it requires an easement to maintain vehicular access to its loading dock and waste receptacle; and

WHEREAS, Redevelopment Commission staff recommends that the Board of Works grant to Jefferson Smurfit Corporation the easement described in Exhibit B, attached hereto and incorporated by reference herein; and

WHEREAS, in return for the granting of said easement, Jefferson Smurfit Corporation has agreed to convey by quit claim deed to the Board of Works that portion of the Clair Street right-of-way to which it would be entitled by virtue of the proposed vacation; and

WHEREAS, the grant of easement document has been prepared by the Board of Works' legal counsel and is attached as Exhibit C.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that:

1. The Board of Works hereby approves the conveyance of the herein-described easements to Jefferson Smurfit Corporation.

2. The grant of easement document is hereby approved and referred to the Fort Wayne Common Council for approval and signature by the Mayor and City Clerk.

Resolved this 8 day of October, 1997.

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk, Director

C. James Owen, Member

John Stafford, Member

ATTEST:

Patricia J. Crick, Clerk

Resolved this 8 day of October, 1997.

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk, Director

C. James Owen, Member

John Stafford, Member

ATTEST:

Patricia J. Crick, Clerk

FORT WAYNE BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 84-161-6

RESOLUTION APPROVING THE GRANTING OF PERMANENT AND TEMPORARY EASEMENTS TO VARIOUS PRIVATE UTILITIES DUE TO THE VACATION OF CERTAIN RIGHTS-OF-WAY IN HEADWATERS PARK

WHEREAS, the Fort Wayne Board of Public Works has acquired certain lands in the City of Fort Wayne for the purpose of flood control and the use of parts thereof for a public park known as Headwaters Park; and

WHEREAS, the Board of Public Works is the purchasing agent pursuant to I.C. 36-1-1.5-3 for the purpose of effecting such acquisition; and

WHEREAS, the Board of Public Works has employed the Fort Wayne Redevelopment Commission as its agent in the negotiation for and purchase of such real estate, relocation, environmental remediation, demolition, and other functions in aid of acquisition and site preparation; and

WHEREAS, construction of Headwaters Park has rendered useless portions of the Calhoun Street and Barr Street right-of-way, and all of the Clair Street, Duck Street, and alley right-of-way from Clinton Street to Barr Street between Superior Street and Duck Street, which rights-of-way are more particularly described in Exhibit A attached hereto and incorporated by reference herein; and

WHEREAS, Redevelopment Commission has petitioned on behalf of the Board of Works for the vacation of the above-named rights-of-way; and

WHEREAS, through the normal vacation process, public and private utilities were notified of the proposed vacation, and certain private utilities have responded, saying that they require easements to maintain existing underground facilities, to wit:

Indiana Michigan Power	Permanent Easement	Barr Street Right-of-Way
Indiana Michigan Power	Temporary Easement	Clair Street Right-of-Way
GTE	Permanent Easement	Alley Right-of-Way
NIPSCO	Permanent Easement	Barr Street Right-of-Way

FORT WAYNE BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 84-161-6

RESOLUTION APPROVING THE GRANTING OF PERMANENT AND TEMPORARY EASEMENTS TO VARIOUS PRIVATE UTILITIES DUE TO THE VACATION OF CERTAIN RIGHTS-OF-WAY IN HEADWATERS PARK

WHEREAS, the Fort Wayne Board of Public Works has acquired certain lands in the City of Fort Wayne for the purpose of flood control and the use of parts thereof for a public park known as Headwaters Park; and

WHEREAS, the Board of Public Works is the purchasing agent pursuant to I.C. 36-1-1.5-3 for the purpose of effecting such acquisition; and

WHEREAS, the Board of Public Works has employed the Fort Wayne Redevelopment Commission as its agent in the negotiation for and purchase of such real estate, relocation, environmental remediation, demolition, and other functions in aid of acquisition and site preparation; and

WHEREAS, construction of Headwaters Park has rendered useless portions of the Calhoun Street and Barr Street right-of-way, and all of the Clair Street, Duck Street, and alley right-of-way from Clinton Street to Barr Street between Superior Street and Duck Street, which rights-of-way are more particularly described in Exhibit A attached hereto and incorporated by reference herein; and

WHEREAS, Redevelopment Commission has petitioned on behalf of the Board of Works for the vacation of the above-named rights-of-way; and

WHEREAS, through the normal vacation process, public and private utilities were notified of the proposed vacation, and certain private utilities have responded, saying that they require easements to maintain existing underground facilities, to wit:

Indiana Michigan Power	Permanent Easement	Barr Street Right-of-Way
Indiana Michigan Power	Temporary Easement	Clair Street Right-of-Way
GTE	Permanent Easement	Alley Right-of-Way
NIPSCO	Permanent Easement	Barr Street Right-of-Way

WHEREAS, Redevelopment Commission staff recommends that the Board of Works grant to the respective utilities easements having legal descriptions matching those of the proposed right-of-way vacations; and

WHEREAS, the grant of easement documents have been prepared by the Board of Works' legal counsel and are attached hereto as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that:

1. The Board of Works hereby approves the conveyance of the herein-described easements to the respective private utilities.

2. The grant of easement documents are hereby approved and referred to the Fort Wayne Common Council for approval and signature by the Mayor and City Clerk.

Resolved this 8 day of October, 1997.

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk, Director

C. James Owen, Member

John Stafford, Member

ATTEST: Patricia J. Crick, Clerk

Resolved this 8 day of October, 1997.

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk, Director

C. James Owen, Member

John Stafford, Member

ATTEST: Patricia J. Crick, Clerk

RESOLUTION

BY THE BOARD OF PUBLIC WORKS

CITY OF FORT WAYNE, INDIANA

AMENDING THE RULES AND REGULATIONS

OF THE WATER POLLUTION CONTROL UTILITY

WHEREAS, pursuant to Indiana Code 36-9-23-25, the Common Council of the City of Fort Wayne has enacted a User Charge System and a Sewer Use Ordinance as contained in Chapter 51 of the Fort Wayne Code of Ordinances; and,

WHEREAS, pursuant to Chapter 51 of the Fort Wayne Code of Ordinances the Board of Public Works enacted Rules and Regulations governing the Fort Wayne Water Pollution Control Utility; and

WHEREAS, the General Rules and Regulations of the Water Pollution Control Utility were last amended in August 1994; and,

WHEREAS, Section 51.071(b) of the Fort Wayne Code of Ordinances states "in the event any (non-residential sewer utility) user… is not a metered customer, there shall be imposed a flat charge rate estimated by the City. A 25% surcharge shall apply to the rate charged to users located outside the City;" and,

WHEREAS, number 9(b) of the General Rules and Regulations of the Water Pollution Control Utility reads as follows: "In the event the sewer user is not a metered water customer, flat charges shall be imposed and charged as follows:

> "Commercial, Industrial, Institutional and Governmental - the Water Pollution Control Plant Superintendent, or his designated representative, shall determine whether the account shall be billed on a flat rate or whether a water or sewerage meter is required. Such flat charges shall be determined by the Superintendent or his designee. Any required meters shall be installed at the owner's expense;" and,

WHEREAS, currently all users, whether residential; institutional; commercial or industrial, which do not have a water meter owned and maintained by the City of Fort Wayne are being charged a flat rate based on 10 units of consumption per month; and,

RESOLUTION

BY THE BOARD OF PUBLIC WORKS

CITY OF FORT WAYNE, INDIANA

AMENDING THE RULES AND REGULATIONS

OF THE WATER POLLUTION CONTROL UTILITY

WHEREAS, pursuant to Indiana Code 36-9-23-25, the Common Council of the City of Fort Wayne has enacted a User Charge System and a Sewer Use Ordinance as contained in Chapter 51 of the Fort Wayne Code of Ordinances; and,

WHEREAS, pursuant to Chapter 51 of the Fort Wayne Code of Ordinances the Board of Public Works enacted Rules and Regulations governing the Fort Wayne Water Pollution Control Utility; and

WHEREAS, the General Rules and Regulations of the Water Pollution Control Utility were last amended in August 1994; and,

WHEREAS, Section 51.071(b) of the Fort Wayne Code of Ordinances states "in the event any (non-residential sewer utility) user... is not a metered customer, there shall be imposed a flat charge rate estimated by the City. A 25% surcharge shall apply to the rate charged to users located outside the City;" and,

WHEREAS, number 9(b) of the General Rules and Regulations of the Water Pollution Control Utility reads as follows: "In the event the sewer user is not a metered water customer, flat charges shall be imposed and charged as follows:

> "Commercial, Industrial, Institutional and Governmental - the Water Pollution Control Plant Superintendent, or his designated representative, shall determine whether the account shall be billed on a flat rate or whether a water or sewerage meter is required. Such flat charges shall be determined by the Superintendent or his designee. Any required meters shall be installed at the owner's expense;" and,

WHEREAS, currently all users, whether residential; institutional; commercial or industrial, which do not have a water meter owned and maintained by the City of Fort Wayne are being charged a flat rate based on 10 units of consumption per month; and,

WHEREAS, City Utilities has information establishing that, while an estimation of 10 units per month is most likely accurate for residential users, it is substantially lower than the amount of sewer service used by non-residential users; and,

WHEREAS, certain non-residential users are served by other local water utilities and are billed for water consumption based on a water meter; and,

WHEREAS, the City of Fort Wayne and City Utilities wishes to more accurately and fairly bill all its users for sewer use consumption;

NOW THEREFORE, BE IT RESOLVED THAT:

1. The Board of Public Works deems it in the best interest of the Fort Wayne Pollution Control Utility, in order to provide income sufficient to maintain the utility property in a sound physical and financial condition, and to also more accurately charge users for that amount of service provided to them, to approve the following amendment to the General Rules and Regulations:

9. In the event the sewer user is not a metered water customer, charges shall be imposed and charged as follows:

   b. If the sewer user is a metered water customer of another utility, City Utilities may, at the sole discretion of its Director, choose to bill that user according to its metered water consumption. Readings obtained by City Utilities for such purpose shall be presumed to be correct so long as readings from said meter are accepted as accurate for water billing purposes by the utility supplying the water and the customer. Should the customer refuse to provide City Utilities access to said water meter for the purpose of billing for sewer service, City Utilities shall estimate the sewer user's consumption by averaging the readings of at least 3 other like Fort Wayne City Utilities customers chosen at City Utilities' sole discretion. In the alternative, City Utilities shall also have the option of requiring the sewer user to install a sewer meter, which shall be done at the owner's expense.

WHEREBY, the Rules and Regulations of the Water Pollution Control Utility are amended as set out directly above, effective this 24 day of September, 1997.

BOARD OF PUBLIC WORKS

BY: Linda Buskirk

Linda Buskirk, Chairman
Board of Public Works

C. James Owen, Member

John R. Stafford, Member

Attested to by:

Patricia J. Crick, Clerk

9. In the event the sewer user is not a metered water customer, charges shall be imposed and charged as follows:

   b. If the sewer user is a metered water customer of another utility, City Utilities may, at the sole discretion of its Director, choose to bill that user according to its metered water consumption. Readings obtained by City Utilities for such purpose shall be presumed to be correct so long as readings from said meter are accepted as accurate for water billing purposes by the utility supplying the water and the customer. Should the customer refuse to provide City Utilities access to said water meter for the purpose of billing for sewer service, City Utilities shall estimate the sewer user's consumption by averaging the readings of at least 3 other like Fort Wayne City Utilities customers chosen at City Utilities' sole discretion. In the alternative, City Utilities shall also have the option of requiring the sewer user to install a sewer meter, which shall be done at the owner's expense.

WHEREBY, the Rules and Regulations of the Water Pollution Control Utility are amended as set out directly above, effective this 24 day of September, 1997.

BOARD OF PUBLIC WORKS

BY: Linda Buskirk
Linda Buskirk, Chairman
Board of Public Works

C. James Owen, Member

John R. Stafford, Member

Attested to by:

Patricia J. Crick, Clerk
Board of Public Works

97 SEP 22 PM 3:09

REHABILITATION FOR COMBINED SEWER REGULATORS,
MANHOLE STEP REPLACEMENT:
K06-285, K07-171, M10-150, L06-438, J03-267, and P06-119
RESOLUTION 554-1997

RESOLVED BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The above listed combined sewer regulators are in disrepair and are not operating properly. The Combined Sewer System Operational Plan requires that the system components work as designed. These regulators contribute to overflow, back-up and river intrusion problems in their corresponding sub-basins. It is, therefore necessary to remove, repair/replace, and reinstall these regulators. This project is to replace the steps in the associated manholes to improve access for maintenance and inspection.

REGULATORS

K06 285 (*Nelson Street Regulator)*: This regulator sits on the intersection of Wayne Street and Nelson Street.

K07 171 (*Wildwood Avenue Regulator)*: This regulator sits at the end of the alley located near the intersection of Home Street and Thompson Avenue.

L06-438 *(Fairfield Regulator):* This regulator sits on the intersection of Fairfield & Wayne.

J03-267 *(Brown Street Regulator):* This regulator is adjacent to the Brown Street Pump Station.

P06-119 (Wayne Street Regulator): This regulator sits on the intersection of Wayne Street and Anthony Blvd.

M10 150 (*Third Street Regulator)*: This regulator sits on the greenway just northeast of the Third Street Pump Station.

Said improvements shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said sewer improvements shall be paid by the funds from Fort Wayne Sewer Utility Revenues.

APPROVED this 24 day of SEPT., 1997.

BOARD OF PUBLIC WORKS

By Linda Buskirk
Linda Buskirk, Chairman

By James Owen
C. James Owen, Member

By John Stafford
John Stafford, Member

ATTEST: Patricia Crick
Patricia Crick, Clerk

IMPROVEMENT RESOLUTION NO. 6508-97
DUNBAR LANE: CALHOUN STREET TO BRISTOL ROAD
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW/
CUMULATIVE CAPITAL FUNDS

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
DUNBAR LANE FROM CALHOUN STREET TO BRISTOL ROAD BY RECONSTRUCTING THE CURBS AND DRIVE APPROACHES AND RESURFACING THE EXISTING PAVEMENT AND ON DUNBAR LANE FROM BRISTOL ROAD TO THE EASTERN TERMINUS BY RECONSTRUCTING THE CURBS, DRIVE APPROACHES AND ASPHALT PAVEMENT

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RECONSTRUCTION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 24 day of SEPT., 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6509-97
KENT ROAD: DUNBAR LANE TO COX DRIVE
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW/
CUMULATIVE CAPITAL FUNDS

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

KENT ROAD FROM DUNBAR LANE TO COX DRIVE BY RECONSTRUCTING THE CURBS, DRIVE APPROACHES, ASPHALT PAVEMENT AND SIDEWALKS AS NEEDED

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS,SIDEWALKS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RECONSTRUCTION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 24 **day of** SEPT. **, 1997.**

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

James Owen

C. James Owen
Member

John Stafford

John Stafford
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6507-97
3900 COLDWATER ROAD
CEDIT NEIGHBORHOOD/PRIVATE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
3910 COLDWATER ROAD (B.F. GOODRICH TIRE CENTER) BY RECONSTRUCTION OF CURBS, SIDEWALKS, DRIVE APPROACHES AND REHABILITATION OF THE EXISTING STORM SEWER STRUCTURES.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost **FOR CURBS, SIDEWALKS AND DRIVE APPROACHES** shall be paid 50% by the City of Fort Wayne CEDIT NEIGHBORHOOD Funds and 50% Private. The Cost for **STORM SEWER STRUCTURES** shall be 100% by City of Fort Wayne CEDIT ~~NEIGHBORHOOD~~ Funds.

Adopted, this 17 day of SEPTEMBER, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

RESOLUTION

The Board of Works hereby approves the following expenses as issuance costs for the 1997 $7.1 million Waterworks Revenue Bonds and authorizes the City Controller to make the following payments from the proceeds of said Bonds:

1. Barnes & Thornburg (bond counsel) - $37,116.58
   ($35,959 - fees; $1,157.58 - expenses)

2. Helmke, Beams, Boyer & Wagner (local counsel) - $25,000.00

Date: SEPT. 3, 1997

FORT WAYNE BOARD OF PUBLIC WORKS

BY: _____

BY: _____

BY: _____

IMPROVEMENT RESOLUTION NO. 6506-97
LEWIS STREET: LAFAYETTE TO ANTHONY
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
LEWIS STREET FROM LAFAYETTE STREET TO ANTHONY BLVD. BY PAVEMENT MILLING AND RESURFACING WHICH INCLUDES PARTIAL RECONSTRUCTION OF CURBS, SIDEWALKS, DRIVEWAY APPROACHES, CONSTRUCTION OF NEW ADA CURBRAMPS, REHABILITATION OF STORM SEWER STRUCTURES AND MULCHED SEEDING RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 3 day of SEPT., 1997

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

RESOLUTION #552-1997
HILLCREST ADDITION
STORM DRAINAGE IMPROVEMENT - PHASE I

RESOLVED by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage intended and adapted for use by property owner(s) whose property abuts thereon and the same is hereby ordered on and along the following described areas:

DUNBAR LANE and KENT ROAD IN THE HILLCREST ADDITION

INSTALLATION OF: 3,000± LF of 12" - 36" storm sewer pipe, 10 manhole structures and 15 inlet structures

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid by **cumulative Capital fund dollars (from Chem Waste Management).**

ADOPTED this 3 day of SEPT., 1997.

BOARD OF STORMWATER MANAGEMENT

Linda Buskirk

Linda Buskirk, Chairman

C. James Owen

C. James Owen, Member

Terrance P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

CC: Michael L. Thornson, Mgr. Stormwater Engineering
Chrono; file

IMPROVEMENT RESOLUTION NO. 6486-97
SALGE DRIVE: CENTERHURST TERRACE TO EVARD ROAD
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

SALGE DRIVE FROM CENTERHURST TERRACE TO EVARD ROAD BY SPOT RECONSTRUCTION OF CONCRETE STREET, STORM SEWER STRUCTURES, DRIVE APPROACHES, SUB-SURFACE DRAIN, TOP SOIL AND MULCHED SEEDING

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 27 day of AUGUST, 1997

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6505-97
3500 BROADWAY
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
3500 BROADWAY (GOUTY SERVICE CENTER) BY RECONSTRUCTION OF CURBS, SIDEWALKS, DRIVE APPROACHES AND REHABILITATION OF THE EXISTING STORM SEWER STRUCTURES.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, SIDEWALKS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for STORM SEWER STRUCTURES shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 27 **day of** AUGUST **, 1997.**

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

C. James Owen

C. James Owen
Member

John Stafford

John Stafford
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Clerk

EMERGENCY RESOLUTION NO. 84-106-17

WHEREAS, an emergency exists for Emergency Pavement Repair at
CLINTON STREET SOUTH OF PARNELL, 5500 BLOCK CLINTON STREET, WASHINGTON CENTER ROAD AT COLDWATER ROAD & 815 WASHINGTON CENTER ROAD

WHEREAS, Transportation Engineering Services received invitational bids for said repair from the following contractors:

ENTERLINE CONTRACTING, INC.	$16,117.00
HIPSKIND CONCRETE	$16,949.00
KEY CONCRETE	$16,991.00
NEWELL CONSTRUCTION	$19,724.00
BROOKS CONSTRUCTION	$22,165.00
PIONEER ASSOCIATES	$22,500.00
MERGY CONSTRUCTION	$24,629.00

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists to repair said pavement and requests the Purchasing Department to issue a Purchase Order to **ENTERLINE CONTRACTING, INC.** in the amount of $16,117.00.

Adopted, this 20 **day of** AUGUST **, 19** 97.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST:
Patricia J. Crick
Clerk

97 AUG 19 AM 11:32

IMPROVEMENT RESOLUTION NO. 6504-97
1997 RESURFACING PROGRAM: PHASE II
CEDIT

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
RAYMOND STREET FROM THE EAST PROPERTY LINE OF FENKER AVENUE TO THE WEST PROPERTY LINE OF COLISEUM BOULEVARD SOUTH:
SURFACE MILLING, WINGWALKS & RESURFACING

McCORMICK AVENUE FROM THE EAST PROPERTY LINE OF ROY STREET TO THE WEST PROPERTY LINE OF EDSALL AVENUE:
STREET REMOVAL, RECONSTRUCTION AND RESURFACING

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Funds.

Adopted, this 20 day of AUGUST, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6503-97
1997 MICRO-SURFACING PROGRAM
CEDIT

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve by micro-surfacing the following streets:

1. **EAST DRIVE: DODGE TO CURDES**
2. **DEWALD: CLINTON TO LAFAYETTE**
3. **BUTLER: CLINTON TO LAFAYETTE**
4. **SOUTH BARR: DEWALD TO WILLIAMS**
5. **LEROY: DODGE TO STATE**
6. **BUENA VISTA: DODGE TO LAWNDALE**
7. **LYNN: CAREW TO ANTHONY**
8. **DELAWARE: ANTHONY TO KENSINGTON**
9. **BRIGHTON: ARCHWOOD TO DARTMOUTH**
10. **CATALINA: BRIGHTON TO RIVIERA**
11. **RIVIERA: WASHINGTON CTR. TO CATALINA**
12. **PUTNAM: SHERMAN TO HENSCH**
13. **FOURTH: RUMSEY TO FRANKLIN**
14. **ARCHER: SHERMAN TO HENSCH**
15. **KINSMOOR: BEAVER TO BROADWAY**
16. **CASSELWOOD: HESSEN CASSEL TO AMARILLO**
17. **HOLGATE: REGIS TO 100 FT. N. ADIRONDACK**
18. **MARIVAL: CASSELWOOD TO REGIS**
19. **AMARILLO: REGIS TO 100 FT. N. ADIRONDACK**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Funds.

RESOLUTION NO. 6503-97
1997 MICRO-SURFACING PROGRAM

Adopted, this 20 day of AUGUST, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

Superior Street, an improvement to the East Fifty-eight Feet of Lot 2 of the Original Plat of the City of Fort Wayne; and

WHEREAS, the Board of Works desires to market the former Indiana Textile Building for private development under the terms of a lease; and

WHEREAS, the Redevelopment Commission has retained two independent state licensed MAI appraisers for the purpose of determining the market rental value of said real estate; and

WHEREAS, the Redevelopment Commission recommends that, in accordance with state statute, the minimum offering price for the parcel be established as the average of the two appraisals.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that:

1. The Redevelopment Commission is hereby authorized to offer the former Indiana Textile building for lease in a public offering.

2. The minimum offering price for the parcel is hereby established as $9,750.00, the average of two independent appraisals.

Resolved this 13th day of August, 1997.

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk, Director

C. James Owen, Member

John Stafford

John Stafford, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

FORT WAYNE BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 84-99-25

RESOLUTION FOR THE LEASE OF REAL ESTATE AND ESTABLISHING THE LEASE AMOUNT FOR THE FORMER INDIANA TEXTILE BUILDING

Whereas, the Fort Wayne Board of Public Works has acquired certain lands in the City of Fort Wayne for the purpose of flood control and the use of parts thereof for the construction of a public park known as Headwaters Park; and

Whereas, the Board of Public Works is the City of Fort Wayne's purchasing agent pursuant to I.C. 36-1-1.5-3 for the purpose of effecting said acquisition; and

WHEREAS, the Board of Public Works has employed the Redevelopment Commission as its agent in the negotiation for and purchase of such real estate, relocation, environmental remediation, demolition and other functions in aid of acquisition and site preparation; and

WHEREAS, the Board of Public Works has adopted Resolutions 80-146-11 and 80-194-7 accepting the Redevelopment Commission's recommendation to acquire a total of twenty eight (28) parcels for the project; and

WHEREAS, one such parcel is the former Indiana Textile Building located at 235 East Superior Street, an improvement to the East Fifty-eight Feet of Lot 2 of the Original Plat of the City of Fort Wayne; and

WHEREAS, the Board of Works desires to market the former Indiana Textile Building for private development under the terms of a lease; and

WHEREAS, the Redevelopment Commission has retained two independent state licensed MAI appraisers for the purpose of determining the market rental value of said real estate; and

WHEREAS, the Redevelopment Commission recommends that, in accordance with state statute, the minimum offering price for the parcel be established as the average of the two appraisals.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that:

1. The Redevelopment Commission is hereby authorized to offer the former Indiana Textile building for lease in a public offering.

2. The minimum offering price for the parcel is hereby established as $9,750.00, the average of two independent appraisals.

Resolved this 13th day of August, 1997.

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk, Director

C. James Owen, Member

John Stafford, Member

ATTEST:

Patricia J. Crick, Clerk

IMPROVEMENT RESOLUTION NO. 6494-97
UNDERGROUND STORAGE TANK REMOVALS, 1997
1995 PUBLIC SAFETY BOND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
NINE (9) FIRE STATION SITES BY REMOVING, TRANSPORTING AND DISPOSING FUEL UNDERGROUND STORAGE TANKS AND CONTAMINATED SOILS. THE SITES ARE:

NO. 1	**419 E. MAIN STREET**
NO. 2	**2023 TAYLOR STREET**
NO. 6	**1500 W. COLISEUM BLVD.**
NO. 7	**1602 LINDENWOOD AVENUE**
NO. 9	**2530 PONTIAC STREET**
NO. 11	**405 E. RUDISILL BLVD.**
NO. 12	**5300 SO. ANTHONY BLVD.**
OLD NO. 13	**1103 E. COLISEUM BLVD.**
NO. 14	**3400 REED ROAD**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne 1995 Public Safety Bond Funds.

Adopted, this 13 day of AUGUST, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick, Clerk

IMPROVEMENT RESOLUTION NO. 6501-97
NORTHCREST ADDITION IMPROVEMENTS PHASE III
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

NORTHCREST ADDITION SECTION 1, LOTS 1,2 AND 3
SECTION 2, LOT 121 AND PFEIFFER PLACE 2ND ADDITION LOT 436
SPOT REPAIR OF CURBS, SIDEWALKS AND DRIVEWAY APPROACHES

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, SIDEWALKS AND DRIVEWAY APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 13 **day of** AUGUST **, 1997.**

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford

John Stafford
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6502-97
ORCHARD PLACE ENTRANCE ON COOK ROAD
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
ACCESS TO ORCHARD PLACE ON COOK ROAD BY CONSTRUCTING A DECELERATION LANE AND DRIVEWAY APPROACH

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 13 day of AUGUST, 1997

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

RESOLUTION ESTABLISHING ENCROACHMENT FEES

WHEREAS, City Ordinance G-88-03-27 authorizes the Board of Public Works to grant encroachment permits and cost of said permits,

NOW THEREFORE, be it resolved by the Board of Public Works, that the price for an encroachment permit be established at fifty dollars ($50.00) per encroachment, effective this August 6, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk - Chairman

C. James Owen, Member

John Stafford, Member

ATTEST:

Patricia J. Crick, Clerk

Dated this 6TH day of AUGUST 1997.

IMPROVEMENT RESOLUTION NO. 6497-97
PONTIAC STREET IMPROVEMENTS: ANTHONY TO ALEXANDER
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

PONTIAC STREET FROM ANTHONY BLVD. TO ALEXANDER STREET BY RECONSTRUCTION OF CONCRETE SIDEWALKS, CONCRETE CURBING, AND CONCRETE YARDWALKS WHICH INCLUDES REHABILITATION OF STORM WATER STRUCTURES AND MULCHED SEEDING RESTORATION

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 6TH day of AUGUST, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6500-97
SUB-AREA COMMERCIAL CAPITAL IMPROVEMENTS 97-A
CDBG

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,
That it is deemed necessary to improve:
THE FOLLOWING LOCATIONS BY RECONSTRUCTING THE CURBING, SIDEWALKS, DRIVE APPROACHES AND CURB RAMPS AND REHABILITATING THE EXISTING STORM SEWER STRUCTURES AS NEEDED:

1) THE NORTH SIDE OF OXFORD STREET FROM A POINT 120 ± FEET WEST OF MONROE STREET TO A POINT 170 ± FEET EAST OF MONROE STREET.
2) MONROE STREET FROM OXFORD STREET TO WIEBKE STREET.
3) THE SOUTH SIDE OF WIEBKE STREET FROM WARSAW STREET FROM WARSAW STREET TO MONROE STREET.
4) THE EAST SIDE OF WARSAW STREET FROM OXFORD STREET TO WIEBKE STREET.

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by Community & Economic Development Department.

This project is funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 6TH day of AUGUST, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6498-97
WOODLAND AVENUE/SUTTENFIELD STREET IMPROVEMENTS
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
WOODLAND AVENUE FROM WEBSTER STREET TO HARRISON STREET AND THE SOUTH SIDE OF SUTTENFIELD STREET FROM HOAGLAND AVENUE THROUGH THE ALLEY EAST THEREOF BY RECONSTRUCTING THE CURBING, SIDEWALKS, DRIVE APPROACHES AND CURBRAMPS AND REHABILITATE THE EXISTING DRAINAGE STRUCTURES AS NEEDED.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, YARDWALKS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 30 day of JULY, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6499-97
MEDICAL PARK DRIVE IMPROVEMENTS
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

MEDICAL PARK DRIVE FROM CLINTON STREET EAST 675 FEET BY RESURFACING AND NEW BITUMINOUS PAVEMENT, CURBS, DRAINAGE REHABILITATION AND TRAFFIC SIGNALS. ALSO, BY WIDENING CLINTON STREET WITH CONCRETE PAVEMENT AND CURBS FROM COMMUNITY DRIVE TO MEDICAL PARK DRIVE.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 30 day of JULY, 1997

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6491-97
SUB-AREA COMMERCIAL CAPITAL IMPROVEMENTS 1997
HANDRAIL AT SOUTH CLINTON STREET
FROM MURRAY STREET NORTH 300 FEET
CDBG

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

THE WEST SIDE OF SOUTH CLINTON STREET FROM MURRAY STREET NORTH APPROXIMATELY 300 FEET BY REPLACING THE HANDRAIL ALONG THE TOP OF THE EXISTING RETAINING WALL

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by Community & Economic Development Department.

This project is funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 30 day of JULY, 1997

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

84-3-12

IMPROVEMENT RESOLUTION NO. 6476-97
PAULDING ROAD: ANTHONY BLVD. TO HESSEN CASSEL ROAD
CEDIT, CUMULATIVE CAPITAL

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

PAULDING ROAD FROM ANTHONY BLVD. TO HESSEN CASSEL ROAD BY PORTLAND CEMENT CONCRETE PAVEMENT RUBBLIZING PRIOR TO PAVING OVERLAY WITH ASPHALT CONCRETE, CURB RECONSTRUCTION, DRAINAGE REHABILITATION, PAVEMENT MARKINGS AND WATER MAIN RELOCATION/UPGRADE.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT)/Cumulative Capital Funds.

Adopted, this 14 day of May, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Secretary and Clerk

84-3-13

IMPROVEMENT RESOLUTION NO. 6480-97
REED ROAD SIDEWALKS: FAIRLAWN PASS TO TRIER ROAD
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

REED ROAD FROM FAIRLAWN PASS TO TRIER ROAD (WEST SIDE) BY RECONSTRUCTION OF NEW SIDEWALKS, CURB RAMPS AND MULCHED SEEDING RESTORATION

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 14 day of May, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Carolyn S. Newgent for
Patricia J. Crick
Secretary and Clerk

84-3-14

IMPROVEMENT RESOLUTION NO. 6485-97
CREIGHTON AVENUE IMPROVEMENTS 1997: BROADWAY TO FAIRFIELD AVE.
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

BOTH SIDES OF CREIGHTON AVENUE FROM THE EAST CURB LINE OF BROADWAY TO THE WEST CURB LINE OF FAIRFIELD AVENUE AND ON THE SOUTH SIDE OF CREIGHTON AVENUE FROM THE EAST CURB LINE OF FAIRFIELD AVENUE TO A POINT 330 ± FT. EAST THEREOF BY RECONSTRUCTING THE CURBING, SIDEWALKS, DRIVE APPROACHES, YARDWALKS, CURBRAMPS AND REHABILITATING THE STORM SEWER STRUCTURES AS NEEDED.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, YARDWALKS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 14th **day of** May **, 19**97

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

C. James Owen

C. James Owen
Member

John Stafford

John Stafford
Member

ATTEST: Carolyn S. Stengel for

Patricia J. Crick
Clerk

EMERGENCY RESOLUTION NO. 84-39-8

WHEREAS, an emergency exists for Emergency Pavement Repair at
5600 ILLINOIS ROAD (EASTBOUND LANE) AND
3100 HOBSON ROAD (SOUTHBOUND LANE)

WHEREAS, Transportation Engineering Services received invitational bids for said repair from the following contractors:

HIPSKIND CONCRETE CORP.:	$11,961.00
BROOKS CONSTRUCTION CO.:	$13,350.00
ENTERLINE CONTRACTING:	$14,245.00
PIONEER ASSOCIATES:	$15,442.95
MERGY CONSTRUCTION:	$16,652.00
ENGINEER'S ESTIMATE:	$13,720.00

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists to repair said pavement and requests the Purchasing Department to issue a Purchase Order to **HIPSKIND CONCRETE CORP.** in the amount of $11,961.00.

Adopted, this 2ND **day of** JULY **, 1997.**

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST:
Patricia J. Crick
Clerk

EMERGENCY RESOLUTION NO. 84-39-8

WHEREAS, an emergency exists for Emergency Pavement Repair at 4810 & 6054 North Clinton Street

WHEREAS, Transportation Engineering Services received invitational bids for said repair from the following contractors:

ENTERLINE CONTRACTING:	$3,486.00
MERGY CONSTRUCTION:	$4,874.00
PIONEER ASSOCIATES:	$6,966.52
G.E. MINEAR CONSTRUCTION:	$8,700.00
DEHNER CONSTRUCTION:	$10,092.12
ENGINEER'S ESTIMATE:	$5,516.00

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists to repair said pavement and requests the Purchasing Department to issue a Purchase Order to **ENTERLINE CONTRACTING, INC.** in the amount of $3,486.00.

Adopted, this 2ND **day of** JULY **, 19**97.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

C. James Owen

C. James Owen
Member

John Stafford

John Stafford
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Clerk

97 JUN 30 AM 7:50

EMERGENCY RESOLUTION NO. 84-39-7

WHEREAS, an emergency exists to repair the riverbank at Wildwood and Wildmere

WHEREAS, Transportation Engineering Services is receiving invitational bids for said repair from the following contractors:

Co-State Construction

E.S. Wagner Construction Company

T-E Incorporated

Dehner Construction

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists to repair said riverbank and requests the Purchasing Department to issue a Purchase Order to DEHNER CONST. CO. in the amount of $ 27,076.00.

Adopted, this 2ND **day of** JULY **, 19**97.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST:

Patricia J. Crick
Clerk

RESOLUTION 84-45-34

WHEREAS, the City of Fort Wayne established a yard waste ban prohibiting disposal of yard or landscaping waste including leaves, grass, brush, limbs and branches at any solid waste landfill;

WHEREAS, the City provides for the pick up of limited amounts of yard waste from residents paying for trash service during certain months of the year;

WHEREAS, the City sees a need for other means of disposing of such vegetative matter;

WHEREAS, the Allen County Solid Waste District previously leased property from the City located at 5510 Lake Avenue in order to operate a compost site;

WHEREAS, the Allen County Solid Waste District has determined it will no longer operate compost sites including the one previously located at 5510 Lake Avenue;

WHEREAS, the City, through its Division of City Utilities, wishes to continue to operate a yard waste recycling facility at 5510 Lake Avenue in order to accommodate the needs of the residents of Allen County;

WHEREAS, City Utilities will incur certain operational costs in the operation of the yard waste recycling facility at 5510 Lake Avenue;

WHEREAS, the Board of Public Works of the City of Fort Wayne adopted Resolution 83-170-28 on April 30, 1997, establishing a schedule of fees for the use of the yard waste recycling facility;

WHEREAS, the Allen County Solid Waste District has agreed to pay seventy-five percent (75%) of City Utilities' operating costs for the yard waste recycling facility at 5510 Lake Avenue, up to a total of One Hundred Thousand Dollars ($100,000.00) for the period of May 1, 1997 through November 30, 1997;

WHEREAS, the Fort Wayne City Council approved Ordinance G-97-05-29 on June 10, 1997, amending Chapter 50 of the Code of Ordinance (Solid Waste Ordinance) for the City of Fort Wayne;

THEREFORE BE IT RESOLVED that Resolution 83-170-28, adopted by the Board of Public Works on April 30, 1997, be amended effective June 16, 1997, by including the following schedule of fees for the use of the City Utilities yard waste recycling program at 5510 Lake Avenue:

The 1997 fees for the Lake Avenue Yard Waste Recycling Program:

Yard Waste Material Drop-off:

Residential Bags (customers driving a car, mini-van or pick-up truck)
$ 1.00 for 4 bags or less per visit. A bag is defined as a 30 gallon trash bag or smaller.
$ 0.50 for each additional bag over 4 bags.

Residential Loose Material
$ 1.00 for loose material up to 250 lbs.
$17.00 per ton 250 lbs. and over.

Non-Residential (all other vehicles)
All commercial material shall be weighed.
$17.00 per ton.

Approved this 2ND day of JULY, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk,
Chairman, Board of Public Works

C. James Owen,
Member, Board of Public Works

John Stafford,
Member, Board of Public Works

ATTEST:

Patricia J. Crick, Clerk

IMPROVEMENT RESOLUTION NO. 6487-97
WEST STATE BLVD. PASSING LANE AT LINDENWOOD AVENUE
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

WEST STATE BLVD./LINDENWOOD AVENUE INTERSECTION BY ADDING A PASSING LANE

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 9 day of JULY, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6490-97
LUDWIG PARK IMPROVEMENTS: PELHAM DRIVE
OREGON DRIVE TO SHARON DRIVE
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW/PRIVATE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

PELHAM DRIVE FROM OREGON DRIVE TO SHARON DRIVE BY CONSTRUCTING NEW CURBS, DRIVEWAY APPROACHES, STORM DRAINAGE, CURB INLETS AND TOTAL RECONSTRUCTION OF THE STREET BY ADDING 10 INCHES COMPACTED AGGREGATE AND 4 INCHES OF ASPHALT

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, DRIVEWAY APPROACHES & STREET shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for STORM DRAINAGE shall be assessed 100% on property owners, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 16 **day of** JULY **, 1997.**

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

James Owen

C. James Owen
Member

John Stafford

John Stafford
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6489-97
LUDWIG PARK IMPROVEMENTS: ORLANDO DRIVE
220 FT. EAST OF LIMA ROAD TO SHARON DRIVE
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW/PRIVATE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

ORLANDO DRIVE FROM 220 FT. EAST OF LIMA ROAD TO SHARON DRIVE BY CONSTRUCTING NEW CURBS, DRIVEWAY APPROACHES, STORM DRAINAGE, CURB INLETS AND TOTAL RECONSTRUCTION OF THE STREET BY ADDING 10 INCHES COMPACTED AGGREGATE AND 4 INCHES OF ASPHALT

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, DRIVEWAY APPROACHES & STREET shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for STORM DRAINAGE shall be assessed 100% on property owners, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 16 **day of** JULY **, 1997.**

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

C. James Owen

C. James Owen
Member

John Stafford

John Stafford
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6488-97
WOODHURST BLVD. & SOUTH WAYNE AVENUE
INTERSECTION IMPROVEMENT
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

THE INTERSECTION OF WOODHURST BLVD. & SOUTH WAYNE AVENUE BY RECONSTRUCTING THE EXISTING PAVEMENT WITH NEW CONCRETE PAVEMENT, CURB RAMPS AND REHABILITATING STORM SEWER STRUCTURES

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 16 day of JULY, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Clerk

BOARD OF WORKS RESOLUTION

WHEREAS, Browning Ferris Industries, Inc. (hereinafter BFI, Inc.), entered into a contract for the collection and disposal of yard waste and curbside recycling in the City of Fort Wayne, and

WHEREAS, BFI, Inc. is currently in compliance with the requirements of it's contract with the City of Fort Wayne, except that BFI, Inc. has failed to post a surety bond, and

WHEREAS, BFI, Inc. has sold all of it's equipment necessary for the performance of said contracts to USA Waste, Inc., and desires to assign the obligations for performance under said contracts to USA Waste, Inc.

NOW THEREFORE, in consideration of the recitations hereinabove stated and subject to the posting of a surety bond by USA Waste, Inc., the Board of Works hereby does consent to the assignment of the contracts for pick up and disposal of yard wasted and curbside recycling to USA Waste, Inc.

BE IT FURTHER RESOLVED that this resolution shall become effective upon the posting of the surety bond and upon the concurrence of the Common Council of the City of Fort Wayne.

Dated this 16 day of July, 1997.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Linda Buskirk, Director

C. James Owen, Member

John Stafford, Member

ST. MARY'S RELIEF SIPHON
RESOLUTION 551-1997

RESOLVED BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The St. Mary's Sanitary Sewer Interceptor is undersized according to the Master Plan and has experienced backup and overflow conditions. This situation is also causing backups in the Waynedale Area. It is, therefore, necessary to design and construct a section of relief sewer to correct the current lack of capacity. This project is to add a third siphon barrel to the existing siphon at Foster Park.

MAINLINE

Beginning at an existing structure on the existing 60" diameter sanitary sewer located approximately 410± L.F. West of and 200 L.F. South of the intersection of Rudisill Boulevard and Broadway Boulevard, thence North across the St. Mary's River 205± L.F. terminating at a proposed outlet structure over the existing 48" Sanitary Sewer Interceptor 200 L.F. North of and 410± L.F. West of the above intersection.

Said improvements with all its appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said sewer improvement shall be paid by the funds from Fort Wayne Sewer Utility Revenue Bonds.

APPROVED this 16 day of JULY, 1997.

BOARD OF PUBLIC WORKS

By Linda Buskirk
Linda Buskirk, Chairman

By C. James Owen
C. James Owen, Member

By John Stafford
John Stafford, Member

ATTEST: Patricia J. Crick
Patricia Crick, Clerk

A RESOLUTION establishing policies and criteria for the review of sanitary sewer extension contracts and certain sanitary sewer taps by the Fort Wayne Board of Public Works

RESOLUTION 84-58-4

WHEREAS, The Board of Public Works of the City of Fort Wayne has the legal authority and responsibility to approve City sanitary sewer extension contracts; and

WHEREAS, The Board of Public Works has been conducting an ongoing review of the capacity and adequacy of the City sanitary sewer collection and treatment systems, and has taken other actions relative to addressing sanitary sewer capacity issues, including previous Board Resolution Number 82-181-18 and Number 82-181-19;

NOW THEREFORE, The Board of Public Works hereby adopts the following policies and criteria for reviewing and considering requests for approval of sanitary sewer extension contracts and certain sanitary sewer taps to serve properties and projects.

SANITARY SEWER EXTENSION OR TAP REQUEST POLICIES AND CRITERIA

A sanitary sewer extension contract, or a sanitary sewer tap request for a use that would have a significant impact on the existing sanitary sewer system, may be approved by the Board of Public Works if the Board determines the request is in conformance with the standards and conditions listed in Sections A, B, and C:

A) There is sufficient capacity available in the existing collection system and treatment plant to serve the project without violating the City's NPDES permit; and

B) The site, project, or request meets one of the following three criteria:

1) the property to be served has the ability to contribute to the tax base of the City of Fort Wayne, by meeting one of the following:

a) the property is located within the corporate boundaries of the City of Fort Wayne; or

b) the property is located within an approved annexation area with a deferred entry date; or

c) the property meets the criteria for voluntary annexation into the City of Fort Wayne, and a valid petition for voluntary annexation has been filed by the property owner(s); or

d) the property is contiguous to an approved annexation area with a deferred entry date, and would meet the criteria for voluntary annexation into the City of Fort Wayne upon the effective date of the deferred annexation area; and adequate provisions have been made to ensure that the property is eligible for annexation and is likely to be annexed after the effective date of the deferred annexation area;

or

2) the request would serve an economic development project which would provide significant long-term benefits to the community;

or

3) the proposed extension is determined to be a strategic investment in the current sanitary sewer system which would enhance the Utility's ability to remain competitive, or to provide service to areas within the corporate boundaries of the City or areas that will be incorporated into the City; and

C) the marginal operation and maintenance cost of the service is covered by the existing utility rate structure.

As part of its review of the request, the Board shall also consider whether the approval of the requested extension would obligate the City to approve the extension of sanitary sewer facilities to serve additional tracts of land. If the Board determines that the approval would obligate the City to approve future sanitary sewer extensions, and such future extensions would not meet the criteria set forth above, the Board may deny the request.

These policies and criteria shall apply to proposals and requests for sanitary sewer extensions or taps as set forth herein in association with all of the following types of projects or requests: zoning reclassifications, primary plats, primary development plans, secondary plats, secondary development plans, and site plan routing reviews. If the Water Pollution Control Engineering Department or the Board has previously issued written confirmation indicating that adequate City sanitary sewer facilities were available to serve a site, project, or request and that sanitary sewer extensions or taps were likely to be approved by the Board if engineering criteria were met, the Board shall honor those prior written commitments.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

BY: _____
Linda Buskirk, Chairman

BY: _____
C. James Owen, Member

BY: _____
John Stafford, Member

ATTEST: _____
Patricia J. Crick, Clerk

DATE: JULY 16, 1997

A RESOLUTION establishing policies and criteria for the review of water main extension contracts and certain water taps by the Fort Wayne Board of Public Works

RESOLUTION 84-58-5

WHEREAS, The Board of Public Works of the City of Fort Wayne has the legal authority and responsibility to approve City water main extension contracts; and

WHEREAS, The Water Engineering Department is in the process of updating and revising its master plan, which will indicate where improvements are needed; and

NOW THEREFORE, The Board of Public Works hereby adopts the following policies and criteria for reviewing and considering requests for approval of water main extension contracts and certain water taps to serve properties and projects.

WATER MAIN EXTENSION OR TAP REQUEST POLICIES AND CRITERIA

A water main extension contract, or a water tap request for a use that would have a significant impact on the existing water distribution system, may be approved by the Board of Public Works if the Board determines the request is in conformance with the standards and conditions listed in Sections A, B, and C:

A) There is sufficient capacity available in the existing distribution system and filtration plant to serve the project without violating IDEM's rules and regulations, the "Ten States Standards", and the Water Utilities standards and specifications; and

B) The site, project, or request meets one of the following three criteria:

1) the property to be served has the ability to contribute to the tax base of the City of Fort Wayne, by meeting one of the following:

a) the property is located within the corporate boundaries of the City of Fort Wayne; or

b) the property is located within an approved annexation area with a deferred entry date; or

c) the property meets the criteria for voluntary annexation into the City of Fort Wayne, and a valid petition for voluntary annexation has been filed by the property owner(s); or

d) the property is contiguous to an approved annexation area with a deferred entry date, and would meet the criteria for voluntary annexation into the City of Fort Wayne upon the effective date of the deferred annexation area; and adequate provisions have been made to ensure that the property is eligible for annexation and is likely to be annexed after the effective date of the deferred annexation area;

or

2) the request would serve an economic development project which would provide significant long-term benefits to the community;

or

3) the proposed extension is determined to be a strategic investment in the current water distribution system which would enhance the Utility's ability to remain competitive, or to provide service to areas within the corporate boundaries of the City or areas that will be incorporated into the City; and

C) the marginal operation and maintenance cost of the service is covered by the existing utility rate structure.

As part of its review of the request, the Board shall also consider whether the approval of the requested extension would obligate the City to approve the extension of water distribution facilities to serve additional tracts of land. If the Board determines that the approval would obligate the City to approve future water main extensions, and such future extensions would not meet the criteria set forth above, the Board may deny the request.

These policies and criteria shall apply to proposals and requests for water main extensions or taps as set forth herein in association with all of the following types of projects or requests: zoning reclassifications, primary plats, primary development plans, secondary plats, secondary development plans, and site plan routing reviews. If the Water Engineering Department or the Board has previously issued written confirmation indicating that adequate City water facilities were available to serve a site, project, or request and that water main extensions or taps were likely to be approved by the Board if engineering criteria were met, the Board shall honor those prior written commitments.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

BY: _____
Linda Buskirk, Chairman

BY: _____
C. James Owen, Member

BY: _____
John Stafford, Member

ATTEST: _____
Patricia J. Crick, Clerk

DATE: JULY 16, 1997

IMPROVEMENT RESOLUTION NO. 6495-97
FOURTH STREET SIDEWALK IMPROVEMENT
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

THE 1300, 1400, 1500 AND 1900 BLOCKS OF FOURTH STREET BY PARTIAL RECONSTRUCTION OF SIDEWALK AND MULCHED SEEDING RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 23 day of JULY, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6492-97
CENTRAL BUSINESS DISTRICT CURB RAMP PROGRAM PHASE IV
L.R. & S.

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

CENTRAL BUSINESS DISTRICT CURB RAMP PROGRAM PHASE IV
ALTER EXISTING AREAS, ELEMENTS AND FACILITIES INTENDED FOR PEDESTRIAN ACCESS BY REMOVING EXISTING CURBS AND SIDEWALKS, RELOCATE UTILITIES, CONSTRUCT PUBLIC SIDEWALK CURBRAMPS IN COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT. RECONSTRUCT SIDEWALKS AND INSTALL PAVEMENT MARKINGS AT ELEVEN LOCATIONS

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne Local Road and Street (LR&S) Funds.

Adopted, this 23 day of JULY, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Clerk

IMPROVEMENT RESOLUTION NO. 6493-97
1997 RESURFACING PROGRAM: PHASE I
CEDIT

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

EDGEWATER AVENUE FROM COLUMBIA AVENUE TO GARFIELD STREET; SKOKIAN DRIVE FROM EAST RIGHT OF WAY LINE OF BLUM DRIVE TO A POINT 1085 L.F. ± EAST AT THE A.E.P. UTILITY EASEMENT;
ELIZABETH STREET FROM WEST PROPERTY LINE OF LOT 5 (#309) MOWRER'S SUB. TO SPY RUN AVENUE;
ARLENE AVENUE FROM FROSCH DRIVE TO PAULDING ROAD;
ARDIS DRIVE FROM PENMOKEN DRIVE TO WINCHESTER ROAD,
BY RESURFACING ROADWAY AND RECONSTRUCTION OF SIDEWALKS WHICH INCLUDES MILLING PAVEMENT SURFACE, CONCRETE PAVEMENT PATCHING, BITUMINOUS PAVEMENT PATCHING, RECONSTRUCT CURBS, CURB RAMPS AND MULCHED SEEDING RESTORATION

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Funds.

Adopted, this 23 day of JULY, 1997.

BOARD OF PUBLIC WORKS

Linda Buskirk
Chairman

C. James Owen
Member

John Stafford
Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk